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**LAHORE FORT
TORTURE CAMP**

THE LAHORE FORT TORTURE CAMP

Being the first hand account of physical and
mental torture and persecution of
political detenues kept in the
Lahore Fort under the
Defence of India
Rules during
the War



as exposed by :

S. SARDUL SINGH CAVEESHAR

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PREFACE

In this small book I have published statements of the political Detenues who were detained under Defence of India Act in the Lahore Fort during the War. The statements are from the pen of persons who hold very high position not only in the political sphere but also in social world in general. They were sent to the Lahore Fort under orders of the Governor General of India and of the Governor of the Punjab for interrogation purposes. Throughout their detention in the Fort they were under direct charge of the police officials mostly connected with the C. I. D. Jail Authorities had nothing to do with them, and even the Ministers were not allowed to see them or have anything to do with them. The Lahore Fort was not a jail under the Jail Department; it was a concentration camp under charge of the Police. The arrangements for detention of the persons were under the direct charge of the Governor of the Punjab, who entrusted Mr. Wace, D. I. G., C. I. D. with the work of interrogation. It was under directions of Mr. Wace, who was protected both by the Governor of the Punjab and by the Home Member, Government of India, who acted on behalf of the Governor General of India, that the detenues were insulted and tortured to secure from them information which they possessed or supposed to possess in connection with the political movements in the country. I need not anticipate these statements by detailing here how criminally and cruelly the detenues were tortured: the statements speak for themselves. But, on the basis of these statements I charge Sir Glancy, the Governor of the Punjab, and Mr. Wace and Jenkins of Police Department, and their agents and assistants in the Lahore Fort as guilty of physical and mental torture of the persons who were put under their control for interrogation. I specially charge them of the following crimes:—

1. In order to secure information which it was supposed they possessed, the detenues in the

Lahore Camp were beaten with hands, legs, fists and rods.

2. They were kept awake day and night, for many days at a stretch.
3. They were kept shut in cells for weeks and months and not allowed to come out of the cells or allowed to see their relatives or any other prisoners.
4. Night soil was not removed from their cells for many days to make the smell in the cells unbearable.
5. They were served with very dirty and unwholesome food.
6. Some of the cells in the Fort were so arranged that there was no protection from sun, rain, or cold. In the hot weather the detainees had to remain in those cells, even when the temperature was above 115 degrees.
7. In winter the detainees were kept in cells where you cannot see sun for the whole day.
8. Filthy language was used against the detainees and their relatives to humiliate them.
9. Hand cuffs and fetters were put on even when the detainees were confined in the locked cells.
10. No water or food was given to them for several days at a time.
11. Applications about torture to higher authorities were withheld and the parties concerned kept in darkness about it.
12. Habeas Corpus Petitions were withheld and the detainees were not allowed to inform of it to any one.

I charge, specially, Mr. Wace, and other concerned with the control of the Lahore Fort concentration camp of elaborate torture of innocent Indians. These policemen

are criminals and must be punished for it. Public has demanded a public and impartial enquiry into the administration of the Lahore Fort Camp. Even the Anglo-Indian papers like the Statesman have demanded this enquiry. But the officials, knowing that they are guilty, dare not order such an enquiry, and being highly placed, have successfully resisted that demand. But they have not only acted criminally, they have also behaved in most coward manner. Otherwise why do not they order my prosecution and prosecution of those who have publically charged them with meanness and crime.

A person of the position of Parshotam Das Tandon has openly charged Government Officials in U. P., and other Provinces of excesses against the public even worse than Jallianwala Bagh. Pt. Nehru gave names of some of the officials who were guilty of these excesses. Arrangements for enquiries have been made in Behar and U. P., but the Punjab Government is silent. It would neither hold an enquiry or prosecute those who charge its pet servants with crime and torture. This shows Government is aware of the guilt of its men and is afraid of a public disclosure of their criminal acts.

After the reports of the Hunter Committee which went into the Punjab Martial Law excesses in 1919, important members of the Indian services had resolved never again to submit to any public enquiry into their criminal deeds. Gandhiji insisted on such an enquiry at the time of the Gandhi-Irwin Pact, because then too many Government officials had treated Indians in a lawless manner. Lord Irwin was half-inclined to agree to such an enquiry; but the services resisted the demand and some of the officials threatened to resign if such an enquiry was ordered. The Gandhi-Irwin negotiations were at one time going to break on this point. But in the end the Congress Working Committee yielded. The result was that the bluff from the officials carried the day, and the right for enquiry into official excesses when suppressing public agitation was lost for ever.

Even a glaring instance of murder of many a Calcutta youngman in the open daylight and without any cause or pretext has not moved the Government to make an impartial enquiry. The services have again won the day. But those who resist such public demands forget that it is they who are creating an unbridgeable gulf between Indians and the British, and it is they who are responsible for the growing hatred which is daily rising in Indian minds not only against the British rule but also against the British people. I feel ashamed when I hear of the stray cases of mole excesses against the Britishers, specially against the British women. But responsibility for such excesses is directly on the shoulders of those officials who refuse justice to the Indians when they are treated by Government underlings in a lawless manner. The Punjab Government, which is still official-ridden, is worst in this connection, and deserves censure.

Some of the "Beasts" of the axis concentration camps will regard themselves as only a faked copy of the Lahore Fort jailors when the world comes to know what cold-blooded horrors were committed in the Lahore Fort under the name of special detention person. I wish to believe that the Government of Punjab or even the Unionist Ministers did not know what atrocities were committed in their name by a few of the policemen entrusted with the detention of the political and other prisoners brought to the Lahore Fort from all over India.

But the systematic manner in which prisoners of a certain category were brought to the Lahore Fort all over the country and the deaf ear which the Punjab administration and Government of India turned to the complaints which were made to them in this connection, would not exonerate those administrations from their responsibility in this matter, unless they order an impartial enquiry and punish those who are found guilty of trespassing the Law.

When I was in the Lahore Fort Sir Sikander was

asked to visit the Fort and see for himself how the detainees were treated there. Sir Sikander gave in writing, and later publicly admitted, that he was helpless and had no power to interfere. Even letters written to the Ministers were withheld by the Police. Maulana Habib-ur-rehman wrote to Sir Khizar Hayat to be allowed to hear Quran during the Ramzan just as other Moslem prisoners were allowed in other jails. The police withheld his letter to the Prime-Minister without reference to any high official. My own letters to the Members of the Viceroy's Executive, even to the Home Member under whose orders I was presumably detained, were not forwarded to him, and when pressed hard, Home Member got those letters only after six months.

So far the police officials concerned, and their supporters in the Government have successfully defeated all efforts to expose their doings. But even in the Punjab we have now a semi-popular Government. I am sure, after going through these pages, our Ministers shall act with the same courage as has been shown in Behar and in U. P.

SARDUL SINGH

CAVEESHAR,

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SEVEN MONTHS OF PERSECUTION AND TORTURE IN THE LAHORE FORT

(Sardar Sardul Singh Caveesher's Statement)

I was arrested on the 9th March, 1942, by Sardar Bahadur Sampuran Singh of the Punjab Police and Rai Bahadur Badri Nath of the Government of India, without any warrants, though I was verbally told by them that my arrest was effected under orders of the Government of India and under the Defence of India.

I was kept in the Lahore Fort for about seven months. During all the period I was interrogated almost daily about the programme and policy of the Forward Bloc and about its relations with other revolutionary parties in India. They also wanted to know how and when Subhas Babu escaped from India and with whose help and why had the Akali leaders deserted the Forward Bloc when they had assured Babuji of their help. My replies did not satisfy the Police, I was consequently persecuted and tortured under orders of Mr. Wace, D.I.G., C.I.D., and of Mr. Jenkins of the Government of India, Intelligence Department, by Sardar Bahadur Sampuran Singh, Rai Bahadur Badri Parshad, Khan Bahadur Said Ahmad, Dewan Harbanslal, Haji Sher Mohammed and other members of the C.I.D. of the Torture Staff, posted in the Lahore Fort for this purpose.

'For the first two weeks I was not allowed to come out of the prison cell at all, though later I was permitted to walk in front of it for half-an-hour in the morning. After about two months, I was allowed to walk for half-an-hour in the evening also, and later, after about four months, this half an hour was increased to one hour both in the morning and in the evening.

Though I protested, I was allowed only bazar food of a very inferior quality brought from a very dirty shop and in very dirty utensils. In the beginning, for about a month, I was not allowed to supplement this food even at my own cost, but later I was allowed to do so with great reluctance, though Rules for Security Prisoners in the Punjab permitted this.

At the time of arrest, I was allowed to bring with me a few books, but after about ten days, when I had finished the same, I was not allowed for about a month, any book at all. During this period I was not allowed any news-paper. Later I was allowed to have books and an Anglo-Indian Newspaper. I asked for the Indian papers like the Tribune, Partap, Zamindar and Milap of Lahore, to be supplied at my own cost, but was refused permission on the ground that these papers were not on the approved list.

During all these seven months I was never told what was the charge against me or what offence I had committed. In fact the Police Officers incharge frankly told me that I had committed no offence and that I was

arrested only to secure information about Babu Subhas Chander Bose's disappearance; about Forward Bloc Organisation and its Policy and Programme; and its relation with other revolutionary parties. They specially enquired from me about Forward Bloc relations with the Terrorist Party in Bengal and with Indian Princes like the Maharajas of Patiala and Kashmir, Jam Sahib of Nawanagar and the Nizam of Hyderabad and the Nawabs of Bhopal and Rampur.

The Indian Police Officers in the Fort interrogated me about the points mentioned above in an extremely objectionable manner for about five months. They abused and ill-treated me and often told me that owing to the war and owing to Subhas Babu having gone over to the Axis side, there was probability that if I did not give them the required information, I might be handed over to the Military authorities who might shoot me down without any trial. They told me how some of the other Detenues had been tortured in the Fort and that the treatment meted out to me was only a fore-runner for the worst to come.

I was first kept in a room which had only iron bars but no wall on the west side. Consequently there was no protection in it from the sun in the afternoon. I had to pass most part of the day burning in the months of May and June without any protection from the sun. I was kept unprotected in the sun in the hottest months of the year in the Punjab, when temperature sometimes rose to about 118 degrees even in the

shade. I was not allowed to go to the regular lavatory for calls of nature. A broken commode was put in my room which was sometimes not cleared for a week, making my cell stink atrociously. When this form of torture, keeping me in the hot sun and in a stinking cell, and verbal threats and abuse, could not get from me the information they wanted, near about the middle of August 1942, Mr. Wace, Deputy Inspector-General of Police, saw me personally and told me that I must give the information about Subhas Babu's programme and his relations with the Bengal Terrorists and the Indian princes or otherwise he would not, owing to war, hesitate to adopt necessary third degree methods to compel me to give the information the Government wanted. He further told me that if within three days I did not give the required information, he could create for me in the Fort conditions of a Concentration Camp. After three days, I was, against rules for the Security Prisoners in the Punjab, disallowed to supplement my food at my own expense and all newspapers were stopped ; my books were taken away from me ; electric fan which was allowed under the rules, was removed ; morning and evening walks outside the cell, and fortnightly interviews with my children, allowed under the rules, were stopped. The commode was cleaned only twice for all these fifteen days, making the cell smell like a sewer.

I requested that I may be allowed to represent my case to the High Court : to His Excellency, the Viceroy and to the Governor of the Punjab. This was also

disallowed. Nor was I allowed to write to my people or my legal adviser about it, nor was I allowed to see them. I protested against this illegal treatment and high-handedness but with no result.

I had been shifted to another cell. For full fifteen days I was shut up day and night, in the extreme summer heat in this new cell which was closed on all sides except on one, on which side there was a small door and a ventilator—9 inches square. The door was kept closed and all the air I could get was through that 9 inches square hole. It was the wet rainy season. Want of free air, uncleaned commode turned the cell into a veritable hell. I was not allowed any of the facilities about food, exercise, papers and books etc. which are allowed to the Security Prisoners under ordinary rules in the Punjab. Even the electric connection was cut off. The result was that, during these days, I developed sore throat, piles, hepatitis and some brain and heart trouble and lost heavily in weight. My condition was so bad that even some of the policemen on duty to watch, could not tolerate it. They privately informed my people about it. Maulana Zafar Ali, M. L. A., and Sardar Sant Singh, M. L. A., were approached by my people. They put questions in the Central Assembly. The Home member stated in reply that the action was taken against me owing to my 'unsatisfactory demeanour'. When questioned whether 'unsatisfactory demeanour' meant my refusal to reply to Police questions, he did not deny the suggestion.

After about a fortnight of this treatment, perhaps as a result of the questions in the Assembly, I was allowed to come out of the cell in the morning and evening as before. First only one book was allowed and then three at a time. I was again allowed the Civil and Military Gazette, though sometimes more than half of its contents were deleted. But neither the supplementing of food at my own expense was allowed again nor the use of electric light or fan; interviews with children remained also stopped. All this was against the rules for the Security Prisoners in Punjab.

I was taken to the Campbellpur jail on the 11th of October 1942. Before I was arrested I was about 182 lbs. in weight. As I was suffering from fever at the time of arrest and the fever continued for about a week even in the Lahore Fort after this, when weighed there I was found to be about 172 lbs. After the fever, the weight again came up to 182 lbs. When weighed in the Campbellpur Jail, after the above treatment in the Lahore Fort, I was found reduced to 143 lbs.—a drop of about 40 lbs. in two months.

As a result of some agitation in the press about the treatment meted out to me in the Lahore Fort, and on account of the questions put about it in the Punjab and the Central Legislatures, I was taken out of the C. I. D. custody and transferred in October, 1942, as stated above, to the Campbellpur jail. From there I made a representation to the Governor General in Council, Home Member to Government of India, and

some other High officials stating how illegally I was detained and treated by the C. I. D. Officers named above and asked permission to see my lawyers so that I might give instructions to them to file suit in Courts of Law against Mr. Wace and his assistants for illegal detention, persecution and torture in the Lahore Fort.

Under rules for the Security Prisoners in the Punjab, Mr. Wace, D. I. G., C. I. D., and his assistants were in control of my correspondence and interviews. Not only my above representations were not allowed to reach the authorities concerned, Mr. Wace and his assistants in a vindictive and malicious spirit, misusing their official position, put further illegal and unwarranted restrictions on my interviews and correspondence, preventing me from dealing with my personal and business affairs ; they further prevented me from approaching my lawyers personally or by correspondence for seeking justice in Law Courts against the illegal and criminal behaviour of the Police Officers concerned. The business concerns with which I was connected were ordered to remove me from their directorship and I was deprived of my remuneration and income from such sources. I was not allowed even to receive dividends for my shares.

On the 20th of March 1943, when the District Magistrate, Campbellpur visited the Jail, I brought to his notice how I was treated in the Lahore Fort and how the Campbellpur District Police under instructions

from Mr. Wace were illegally interfering with my correspondence and interviews. I gave him all this briefly in writing and requested him to take suitable judicial action in the matter. He assured to deal with my application under the law. A day or two later, I wrote a letter to my lawyer asking him to pursue the above application in the District Magistrate's Court. As under the rules this letter was to pass through the local C.I.D. and Mr. Wace, D. I. G., C. I. D., not only they illegally, and misusing their official position, withheld this letter, I was all of a sudden transferred at the instance of the C. I. D. from Campbellpore to Dharamsala in order to take me out of the jurisdiction of the Campbellpur District Magistrate and prevent me from pursuing my application further with that officer.

I remained in Dharamsala from March 1943, to March 1946. My persecution and illegal treatment at the hands of the police, under directions from Mr. Wace, D. I. G., C. I. D., continued even there. My business letters, even those for which sanction had been obtained from the Government of India, were withheld ; letters to my lawyers through whom I wanted to bring the case before the courts were not allowed. I was not allowed to see my lawyers whom even the High Court had allowed to see me, and my children and servants who came to see me or bring articles for my use were harassed.

Apart from all this, on the first occasion, the Police again got me in their custody. I was put by them

under directions from Mr. Wacc, to physical trouble amounting to torture. I sent a Habeas Corpus petition to the High Court. Though Mr. Wacc and his assistants had opposed it, I was ordered by the High Court to be produced in Lahore on the 24th of June 1944. The Police was compelled to produce me in the High Court, but as a revenge for their disappointment, on the way to Lahore from Dharamsala and back they treated me in an inhuman and callous manner. I was indisposed when police took charge of me from the Dharamsala Jail. The Medical Officer taking into consideration my state of health, had given special directions to the police to protect me from heat. But on my way to Lahore and back, the Police escort provided me with no fan, doors of the Railway Compartments in which I had to travel were closed, and I was locked up, when going to Lahore and coming back to Dharamsala in a dirty lock-up at Pathankot without any fan. I was given no food for twelve hours even though I had made request again and again to the Police to make arrangements for it and they had enough of my money with them for the purpose. Police also tried to deprive me of my papers in connection with my Habeas Corpus application before the High Court and though the Court had given orders to this effect, they did not allow me to see my lawyers when I was in Police custody. The Deputy Superintendent of the Jail who protested against Police treatment was transferred from Dharamsala and severely reprimanded for not complying with the wishes of the police.

I have been suffering from chronic rheumatic troubles. Dharamsala has the heaviest rainfall in Northern India and is quite unsuitable for men of my health. Two District Magistrates, the Jail Visitors and the Jail Medical Officers, wrote again and again for my transfer to some other Jail. But under Police directions, Government did not remove me to a jail suitable for my health and I was left to suffer in a place unsuitable to my health.

Later attempts were made by the D. I. G., C.I.D. and the Superintendent of Police, Dharamsala to involve me in a criminal case alleging that I had held unauthorised interview with a friend of mine ; but this attempt was frustrated by the Superintendent Jail and the District Magistrate, who on enquiry found the allegations to be utterly false. The Police Superintendent even threatened the Jail Officers with dire consequences for not complying with his wishes, but before he could do anything, owing to my new Habeas Corpus petition to the High Court, I was ordered to be released.

I may also mention that my secretary and my Personal Assistant, both of them had absolutely nothing to do with any kind of politics, and who were only looking after my personal and business affairs and were managing my property were also detained under the Defence of India Rules, one for two months and the other for three years, simply to harass me and put my people to trouble. They were never tried or given any chance of defence.

After my release I have publicly charged the Government Officials concerned in my persecution ; about the criminal treatment meted out to me in the Lahore Fort and afterwards, and challenged the Government to prosecute me for these allegations if it considered them to be untrue. I have also offered to pay all Government expenses in this connection ; but the only reply I have received so far, is the irresponsible denial by the Home Member, Government of India, of these allegations without any impartial enquiry and without affording me any opportunity to prove my allegations with necessary evidence.

I WAS KEPT AWAKE FOR SEVERAL NIGHTS UNTILL I FAINTED

**(Pt. Ram Rup Sharma, Secretary to S. Sardul
Singh Caveeshar narrates his own experience)**

I was arrested on the 6th February, 1943 and taken to Lahore Fort. In the first instance I was put in Cell No. 5 but was later removed to Cell No. 1. The reason for this transfer, according, to C. I. D., was that I was non-communicative. The commode in the cell was kept uncovered with the result that bad smell always emanated. The floor of the cell was partly kachha and there were large number of small germs and insects going about on the floor. The cells had no windows. I was taken out only for the purposes of interrogation. Questions put to me by the C. I. D. Officers varied and covered almost all National and International subjects. I was enquired as to what was the relation of Maharaj Kumar of Vijay Nagaram with Subhas Chander, names of firms who helped Mahatma Gandhi financially ; or as the C.I.D. put it, names of the firms who have handed over signed cheques to Mahatma Gandhi, amounts to be filled in by him (Mahatma Gandhi) at his convenience ; why is the Capitalist in India friendly to the National movement. I was questioned regarding Subhas Baboo's disappearance. Questions were put to me about many underground workers of the 1942 movement, about their visits to Lahore etc.

Ch. Mohd. Hussain, M.A., Inspector, C.I.D. used to interrogate me. He would not offer me a chair and I used to sit on a wooden Box which was lying there. The interrogations lasted for hours at a stretch. In the first instance I was allowed to use my bedding and I was also provided with a charpai. One day the C. I. D. Inspector Ch. Mohd. Hussain, informed me that I was not giving them material information. After about a fortnight of my arrest when I had gone out for interrogation, the fort people came and removed my bedding, etc. They left in the cell four blankets instead. My bedding and charpai was not returned to me for about two weeks and I had to sleep on the dirty floor. I was also refused to use my clothes which were kept in the Malghar in the custody of the police. My toilet and shaving was also not given to me, so, in the meanwhile I grew long beard. When all this was done, the Inspector said that he was still not satisfied and that I deserved still harsher treatment. One day the Inspector police called me in the office at about 10 o'clock in the night. He himself was lying on a charpai with comfortable bedding. He asked me to sit down on the box on which I used to sit while interrogations were going on. He ordered four of the armed constables to stand by my side, and to keep me awake all the night. His orders were that even if they notice a little twinkle in my eyes they should use their butt-ends. I was made to sit in this position for the whole night and the Inspector Police slept. In the morning at about seven o'clock I was allowed to go to my cell for satisfying the call of nature etc. Within half an

hour the inspector police along with half a dozen armed constables reached my cell and I had hardly finished the task when he asked me to go to his room again. I had to sit in this room whole day and night. In this way I was kept awake for four days and three nights without a twinkle in my eyes. On the fourth day while sitting on that box I actually fainted. Upon this I was allowed to go to my cell.

I was supplied a copy of the C. & M. Gazette for the first few days of my stay in the fort but later this was withdrawn, because as the C.I.D. men informed me, I was responsible for putting questions in the Assembly regarding the treatment in the Fort.

The food supplied was of a very inferior quality. The man who served food was not allowed to sit in front of the door even for two minutes. He would practically push in the plates and run away. I was not allowed to talk to anybody in the fort except the interrogations of the Sub-Inspector.

At one stage during the course of interrogations Ch. Mohd. Hussain said that I was the fifth Columnist and that the Fifth Columnist and third degree methods go together. I had to stay indoor for practically 24 hours. I was taken out for half an hour or so only every third or fourth day. I was not allowed this privilege daily because I was informed that the Fort was full of other Security Prisoners and only one of us was allowed to stay out at one time. I was removed to the New Sub-Jail, Gujrat, on the 5th April 1943, after two month's detention and harassment in the Lahore Fort.

III

MR. WAGE D. I. G., C. I. D. THREATENED TO SHOOT ME

(Mr. Dwijindranath Bose nephew of Netaji
Subhas Bose relates the story of his
detention in the Lahore Fort)

On 23-4-42 I was transferred from the Alipore Central Jail, Calcutta to the Lahore Fort (which was under the C. I. D.) where I reached on 26-4-42, after a brief break of one day at Civil Lines Police Station, Delhi.

On reaching the said fort I was atonce take in front of a small cell, which I was told was meant for my confinement. The cell was very dirty and the floor was of loose earth. There were no windows except a small ventilator, and the cell door had corrugated shutters on its outer side. There were cobwebs, insects, and marks of spit and cough everywhere in the cell, and even a few wasp-nests. In one corner there was even a chamber-pot containing dried up stools. There was a horrible stench in the cell. I was never accustomed to live in such a cell, and even dogs in my house are not kept in such unhealthy cells. So I protested to the sub-inspector of C. I. D. Police (known as "Haji"), who had taken

me there, against my being placed in the cell, but to no avail. The sub-inspector flew into a rage and immediately pushed me by my neck and with a kick on my back threw me into the cell. This kick has disfigured vitetra-bone for which I was treated with deep X-Ray therapy in the Mayo Hospital Lahore as I was suffering from severe pain all along in jail in that part of my body. The X-ray plate taken from Mayo Hospital will bear testimony to it. In this cell I was confined for more than a month and a half.

When I had passed about two hours after being thrown into the cell I was taken to Sardar Bahadur (then Sardar Sahib) Sampuran Singh and Rai Bahadur Bakhshi Badri Nath, Deputy Superintendents of Police, C. I. D. to whom I complained about the un-hygienic condition of the cell, and the rude and discourteous behaviour of the said sub-inspector but the same fell on deaf ears. Later on the sub-inspector in question admitted that he was not to be blamed for the rude behaviour because he had acted under orders of his superior, the D. S. Ps.

I was kept awake till very late hours on the night of 26th April, against my will, without food, bath and even drinking water when the summer of the Punjab, of which I had no previous experience, had already become very trying. I was deprived of my meals and even drinking water for whole of the next day, and I was allowed to have a bath only several days afterwards, in those hot and sticky days.

In the cell in which I was kept locked up for more than one and a half month there was only a broken charpoy, full of bugs, which I had to use for the whole length of my confinement in the fort. For several days I was not given my bedding and mosquito net, and clothes and toilet articles.

I was not allowed to come out of the cell for exercise for a month or so, during which period I had to take my bath, when allowed to do so, and answer the call of nature inside the room. Moreover the chamber-pot which had no lid or cover, used to be cleaned not more than twice a week. I was taken out of the cell only for interrogation.

I was not given a fan for the whole length of my two and a half months' confinement in the Lahore Fort—even when I was kept locked up in the said small closed cell except for the last few days of my stay.

During my two and a half months' confinement in the Fort, I was not allowed to have any companion except for four or five days, when Sardar Narinjan Singh Talib, another unfortunate security prisoner, who was then detained in the torture centre of Lahore Fort, was put with me in the same cell, in order that I might get frightened by the tale of inhuman torture which, Talibji said, he had been put to.

I was given dirty, stale, and unwholesome food, day in and day out inspite of my repeatedly bringing this matter to the notice of the said D. S. Ps.

A doctor used to visit once a week, and when I would draw his attention to my illness, weakness and loss in weight, he would pay no heed but would go away after only taking my weight. On occasions when my ailments would become acute and I would ask for the doctor, the Fort authorities would not send him and instead would give some watery liquids which used to have no effect.

I was not allowed to receive any money from home or from my Bank for supplementary food and other amenities of life, nor was I given the clothes and sundries allowance of Rs. 15/- per month, which was given at that time to security prisoners detained in the Punjab.

I was not given any newspapers or books for a month or so. For the whole length of my confinement in the Fort I was neither allowed, inspite of my repeated requests, to write or receive any letter to or from my family, nor was I allowed to have an interview with my family. I was not even given any writing materials during the whole length of my stay in the Fort, even though I had repeatedly asked for the same, so that I might atleast be able to write to higher executive authorities and to a court of law for stopping illegal treatment and torture, and for action against the officers responsible for such treatment as had already been accorded to me.

On many occasions my legs were chained with handcuffs and chains, to my charpoy, inside the cell,

for the whole night, with the result that I could not sleep at all. Besides this, on several nights I was deliberately kept awake, and at times when I could no longer resist dozing off, I used to be beaten with shoes and fists by the said D. S. Ps., so as to compel me through fatigue and want of sleep, to agree to make statements according to their bidding. As a consequence of all this, I developed insomnia, which persisted for months after my transfer to the Campbellpur Jail.

One of the interrogating Deputy Superintendents, Sardar Bahadur Sampuran Singh himself beat me several times with fists and shoes.

Both the said Deputy Superintendents used filthy and abusive language against my brothers, uncles and even one of my sisters.

Mr. Wace, the D. I. G. of C. I. D., Punjab one day, during the last week of May, while interrogating threatened me that I would be shot dead if I did not disclose everything and please the interrogating Deputy Superintendents by corroborating certain points, as desired by them. Mr. Wace further added that I had not, uptill then experienced half of the tortures which are generally practised on political suspects in order to extract statements from them. Mr. Wace said that he would cause the temprature of the cell where I was locked to go up to 160°—and that he was sure that I would die in that case. After these threats he ordered in my presence that I be locked up as before for day and night without any privilege of being taken out for

exercise till I made up my mind to do whatever the Deputy Superintendents wanted me to. Then I was taken to my cell and, when Mr. Wace had gone away I was again brought back for interrogation when S. B. Sampuran Singh told me that the D. I. G. had ordered also for beating me still further and to burn steamcoal in my cell and started beating me again more zealously with fists and shoes, and also kept me awake till very late hours that night and burnt steamcoal in my cell in *angethies* with the result that I fainted after half an hour of the burning of coal. An officer of the Fort then took me out of my cell and under his recommendation the burning of coal was given up, otherwise it would have surely killed me as Mr. Wace had himself anticipated. The Deputy Superintendents then threatened that they would make me naked and ask the torture staff to put a bamboo stick into my anus or to practise such torture as was meted out to Sardar Narinjan Singh Talib by them and in that case if I died of torture, they said, they would have simply to ask the visiting doctor of the Fort to certify that I had died of heart failure.

Not being satisfied with the method of torture already accorded to me, the Deputy Superintendents threatened that they would place me under a special torture staff kept by the Punjab and India Governments in the Lahore Fort, in order that I might be forced through fear of further torture to agree to corroborate before their superior British officers of the Government of India, the false materials and statements they had against me, my relatives, and political associates.

Side by side with these threats and tortures the Deputy Superintendents gave temptations that I would be released if I corroborate, before superior officers, a statement against my uncle Mr. Sarat Chandra Bose and agree to become a Government approver utilising the materials supplied by them, in the conspiracy case, which, they said, they had in mind, involving my uncle and other Forward Bloc Leaders.

I was tortured and ill-treated by S. B. Sampuran Singh and R. B. Bakhshi Badri Nath and threatened and mentally tortured by Mr. Wace, D. I. G., C. I. D., Punjab, Mr. Morton and Mr. Bridgeman, superintendents of Police, C. I. D., in the Lahore Fort for not being able to give answers to some absurd questions (of which I had no knowledge or idea whatsoever, because I was never in subversive politics), as desired by them and for not agreeing to their nefarious plan to corroborate certain false and concocted statements, and become an approver in a proposed conspiracy case.

For the period during which I was detained in the Lahore Fort, that is to say, 26th April to 7th July, 1942, my whereabouts were kept a complete secret as will be seen from the facts mentioned below (in this paragraph) and as stated in another paragraph. I was not allowed to write or receive letters even to or from my father, or have interview with them. My father applied to the D. I. G., I. B., C. I. D., Bengal on 25.4.42 for permission to seek an interview with me, in reply to which the said D. I. G., directed my father to apply to the

Political Department, Government of India for that purpose. My father wrote three letters to me c/o the Secretary, Political Department, Government of India, New Delhi. Since all these three letters were not delivered to me in the Lahore Fort and I was not allowed to write any letter from there, my father could not get any reply to them or any news from me. Thereupon, my father, at first addressed a letter to the Secretary, Home Department, Government of Bengal, to which he got a reply saying that I had been transferred to Delhi, and my father was directed to communicate with the Political Department, Government of India. Accordingly my father sent, one after another, three petitions to the Secretary, Political Department, Government of India, enquiring about my whereabouts, etc; and asking an interview with me. The Political Department, Government of India purposely refrained from replying to these petitions as long as I was confined in the Lahore Fort, because, being aware of the fact that I was being tortured in the Lahore Fort, they did not wish to divulge the secret place of torture or allow an interview there, and my father, coming to know of the fact that his son was being detained in the torture-centre of Lahore Fort, would try to put impediments in their nefarious and heinous schemes of torture. Thus, when the process of torture had been completed, and things had been so arranged that I would be removed from the Lahore Fort on 7.7.42. and reach the Campbellpur Jail the same day, that the Under-Secretary, Political Department of India despatched a letter to

my father, in reply to the latter's petition dated 13-6-42, timed to reach him a day after I had reached Campbellpur Jail. It may be further stated that out of the three letters which my father had addressed to me (while I was in the Lahore Fort) c/o of the Secretary, Political Department, Government of India, one dated 26-5-43 was redirected to the Campbellpur Jail by the Political Department, bearing their No. D1826-G/42 reached me in this Jail sometimes in the fourth week of July, 42. While the other two were neither delivered to me nor was I informed, in compliance with the Security Prisoners Rules, that they had been withheld. I beg to submit that prior to my detention in the Lahore Fort from 26-4-42 to 7-7-42 I had been in Bengal Jails for full one year and never had my place of detention been kept a secret from my relatives, friends, and the public, nor has it been kept so since my transfer to Campbellpur Jail on 7-7-42. On the contrary while under detention in Bengal Jails and in the Campbellpur Jail, the Press, have at various times, published news regarding me and mentioned my place of detention. I further beg to submit that during my transfer from Calcutta to Delhi, and Lahore to Campbellpur I had travelled in crowded railway compartments, with members of the public. Only when the Punjab Police escorted me from Delhi to Lahore, they did not allow members of the public to travel in the same compartment, although it was not a reserved compartment. Taking into account all these facts, it will become obvious that my whereabouts, for the period of confinement in the Lahore

Fort, were kept a secret, and I was deprived of the privilege of writing or receiving letters, or having interviews for the sole reason that I was being tortured and ill-treated during that period.

Prior to my transfer from the Lahore Fort, I was threatened by Mr. Bridgeman and S. B. Sampuran Singh that if I disclosed to any person that I had been tortured and ill-treated, I would again be brought to the Lahore Fort and more mercilessly tortured, and more members of my family would then be arrested, harassed and tortured, to do which, they said, they had wide powers under the Defence of India Rules.

To my query as to under which law or rule I was being tortured and ill-treated, the Deputy Superintendents of Police, C. I. D. told me that no rules applied to persons confined in the Lahore Fort, and that what they were doing was the rule, for which they had, at their back, the full authority of the Government, and as such, no one could call in question their action.

As a result of all the above stated mental and physical tortures, my health deteriorated, so much so that I lost 28 lbs. in weight during my detention of two and a half months in the Fort. On the date of my transfer from Bengal I weighed 182 lbs. as is recorded in my History Ticket, and my weight was found to be the same on the date of my arrival in the Lahore Fort. When I was weighed on my arrival in Campbellpur Jail my weight was found to be 154 lbs, my ailment of rheumatism was aggravated on account of bad food, torture, want of sleep (forced *ratjagai*) and lack of proper medical aid.

IV

LIFE IN TORTURE CHAMBERS OF RED FORT

(Statement of Pt. Sheelbhadara Yagee Vice
President All-India Forward Bloc)

Since my release on Sept. 13, 1945, I have been seriously considering about submitting a report of the tortures inflicted on me during my period of detention beginning with May, 1943. I have been transferred from jail to jail all over India, and it would be a big narrative if I start writing the experiences of all these jails in which I was thrown and was treated as a semi-political and semi-criminal prisoner who does not appear to be entitled to normal human treatment meted out to ordinary criminals. In view of this I would not mention anything about the experience of other jails excepting the one where I spent the days in the dungeons at the Red Fort at Delhi.

These dungeons are inside the Red Fort and under the control of the Military authorities. The size of the dungeons is something like 10 feet by 10 feet and the outer walls are as thick as 3 to 4 ft. They are never used usually for any type of business or any other purpose except as torture chambers. The wooden panel doors which are inside the 10 ft. wide corridor,

prevent possibility of any sun-rays or light penetrating inside the cells. The ceiling is covered with wooden planks with sufficient holes left in between to permit a regular rain-storm of the insects on the poor creature who has the ill-luck of being locked up in these cells. As they are generally out of use, they are seething with insects, mosquitoes, bugs, cocroaches and all sorts of creatures including scorpions and snakes. I was detained in this cell for about four months in the year 1943.

Burning Hell

On my release I had been to pay my respects to Babu Rajendra Parshad, to whom I have narrated the whole story personally and under his direction I am putting the story on paper for the general information. This narration of my life in the Red Fort at Delhi is a narration of living in a burning hell and a land of living death.

With me I had two comrades. One was Mr. Mukundlal Sarkar, the Secretary of the All-India Forward Bloc and the other was Mr. Pranlal Kapadia, a business man from Bombay. Mukund babu is still in jail and is standing his trial, while Pranlalbhai is now free man like me and he joins me in this narrative.

On 31st May 1943, I was arrested in Bombay, and after a fortnight's stay in the local jail I was ordered to get ready for a transfer. On the Railway Station I found my friend Mukundlal Sarkar also accompanying me in the transfer. Although we were both political

prisoners, we were not allowed to exchange a word. I was informed by my escort that I was being transferred to a jail in the North Western Frontier Province. As our train steamed in at the Delhi station, I was removed to the Red Fort at Delhi.

The Red Fort is a military lock-up in charge of the Military authorities and is meant for military prisoners. When we reached there we were the only two political prisoners in the Fort. We were joined by Pranlal Kapadia in July 1943. We were all kept in separate cells, the front doors of which were of blank wooden panels preventing even the sun rays from penetrating into our cells.

The entire dungeon was manned by British tom-mies. No 'kala admi' was to be seen outside except as a prisoner or a cooly. All the three of us were segregated, and throughout our period of incarceration we were not allowed to see any other face, excepting the face of the guarding tommy and that too only once a day, when he ordered us out for 3-5 minutes for our daily ablutions and nature's call at any time between 5-30 a. m. and 9-30 a. m. at his whims and if we could not avail ourselves of this opportunity when ordered we lost our right to have any easement during the day. Thus, practically we got opportunity of properly easing ourselves hardly twice a week.

We were not allowed to have anything with us, not even a spare pair of clothes or a pencil, pen or a book. No change of clothes and tooth-wash was allowed

to us. Our only companions were the only clothes that we wore on our body. Even the necessary sanitary arrangements for urination etc., were denied to us, and we had nothing to do excepting to brood on our ill-luck in the dark cells. A tattered 'kambal' was given to us which had more insects inside it, and as a result we preferred to sleep on the ground. There was no window in the cell excepting a small ventilator at height of about 8 ft. and even during the brightest sunlight days our torture chamber was nothing but a dim dark dungeon, whereas during nights it had an utter blankness of death.

The cement walls had enough heat which was preserved even during night times to make the inmate perspire throughout the 24 hours. The floor was damp and the visitation of insects, bugs, fleas, ants, lizards etc., with their internal quarrels and fights was giving us a living experience of hell, and the most expected visits by scorpions and snakes kept us always in suspense, and sleep was out of question.

The whole existence was veritable hell on earth. Further, to add injury to our torments we were given only saltish water which caused more craving for thirst and made us victims of nausea. We passed our days sitting or walking round and round in the midst of swarming insects.

Food Supply

The food supplied to us needs no description. It

was not palatable and not meant for human consumption. During the entire period of 4 months I stayed there, I never had any good *chappati* or dal of even the lowest variety. We were not allowed to have anything for exercise, nor were we allowed to go out for more than 5 minutes every day as described above. Even the nature's call during the day time was prohibited, and when we were hard pressed all entreaties to remove us to ease ourselves were scoffed at and a lofty advice was given to us to take exercise and move round and round the cell so that the call may evaporate. This resulted ordinarily in a derangement of our physical fitness. We were not allowed to have shaving or a bath, and even the morning 3 or 5 minutes that were given to us, the white tommies always hovered over us looking at their wrist watch and physically dragging us back to the cells immediately the time was over.

Physical beating was resorted to very often by the grumbling grousing white tommies, telling us all the while that you dirty Biharis deserve to be shot dead immediately and flung all sorts of abuses unmentionable upon us. Their behaviour was rude and inhuman and the language was the filthiest.

It was the hottest part of the season, and the insanitary conditions caused boils all over my body. Thus I was locked up in entire seclusion and solitary confinement for 45 days. This was quite enough to break up the physique and spirit of any detenu. Those dragging days of monotonous, dismal and dreary life were

followed up by rude and barbarous interrogations. Mukund babu who is an old man, lost his health and his condition became serious within 'a fortnight. He fainted 4 times and had to be removed within a months time. I became a complete physical wreck and could not stand or move by myself. Even for my morning 5 minutes outing, I was dragged out and again dragged back into the cell by the sentries.

The Interrogation

The interrogation which began after one and half month of living death, was conducted by the Criminal Intelligence Department of the Government of India. A large 'posse' of officers used to visit me and loud terse questions were hurled at me.

The interrogating officers were Rai Bahadur Badrinath Bakhshi, S. B. Sampuran Singh and K. B. whose name I have forgotten.

These officers, seasoned in their profession, relentless and merciless, everybody accompanied by two well built robust Punjabi bodyguards hurled themselves against us and tried to extort information of their own imagination from our benumbed brains.

The questions that they mainly hurled at me were :

- (1) You toured all over India five times and conducted the sabotage movement of 1942. Give us full account of all the collaborators.
- (2) Give full account of these 15 months' life in hiding and give us detailed information, or

you will have to rot and die in this hell.

- (3) Give us the names of absconders whom you know (and they enquired about a thousand absconders many of whose names I have never heard).
- (4) You are a pro-Jap : Gandhi is a pro-Jap ; Congress is pro-Jap and the Forward Bloc is also pro-Jap. And all of you have united and launched this movement to aid the Japanese invasion
- (5) You know everything about Subhas Chander Bose's flight from India. You are still in contact with him. Give us all information or you shall die in this living hell Subhas Bose has been financing the whole movement of 1942 through you ; give us full details of the moneys that you received through enemy sources and how you have spent them.

These and many similar questions—fantastic and unimaginable—were hurled at me and every question was accompanied by a threat of punishment to lead life in the living hell. Then followed the military investigation and their questions were somewhat on the following lines :—

- (1) You have a regular contact with I. N. A. Leaders. You have visited Singapore, Burma, Kabul, Kandahar and Persia. You had contact with Subhas Bose (and they showed

me photographs of many persons believed to be the leaders of the I. N. A. whose faces I have never seen).

- (2) You had a full-fledged air service at your disposal. The Managing Director of the Air Service of India Ltd., Mr. Kabali is your man, and you have misused this line for your subversive activities. (As a matter of fact, not a single aeroplane was allowed to remain with the Air Services of India : all the planes belonging to that service were requisitioned).

Gradually my difficulty grew worse, and I fell a victim to malaria and my temperature went up to 106. Twice during the period of fever I collapsed and lost all hopes of surviving. After this, I was removed to a Military Hospital and I gained consciousness after four days. After treatment of 12 days in the Hospital, I was again removed to the solitary cell, and again I got temperature rising up to 106 degrees. In this difficulty I requested the Commanding Officer to either inform Sir Sultan Ahmad or Dr. N. B. Khare about me and arrange for my removal to the Civil Hospital, but the Commanding Officer scoffed at me and said that none of the Viceroy's Executive Councilors excepting Maxwell and War Secretary, Mr. Trivedi, had any knowledge about the prisoners in Red Fort, and it was beyond the powerful Sir Sultan or Dr. Khare to render any help to us in this matter.

I was always worried about Mukund Babu who is

an old man, and hovered between life and death. The living hell broke him down completely and within a short period he had to be removed to another place. My other colleague Pranlal Kapadia, was subjected to the same process of torture. Pranlal was subjected to interrogation by the civil authorities after 2 months and 15 days of solitary confinement, when he had grown extremely weak and practically mentally deranged. After that he was permitted to remain in the Verandah on a very urgent and strong recommendation of the Military Doctor. Pranlal is a very important worker in Bombay and suburbs, and was arrested in connection with the August movement. Very fantastic questions were put to him such as the message that he brought from the Japanese Government, from Rashbehari Bose and Mr. Anand Mohan Sahay for Subhas Bose and other members of the Working Committee including Pt. Nehru and Rajen Babu. He was accused of having delivered these messages and of being mainly responsible also for organising sabotaging work in Bombay.

I. N. A. Soldiers

Apart from these three politicals I have mentioned there were hundred I. N. A. soldiers, many of whom belong to very noble, eminent and respectable families and they were compelled to do menial work such as scavenging the street, latrines etc. They were regularly being belaboured brutally ; many of them had their heads and other limbs broken and I do not know how many of them died or had gone insane by these torures.

For months together we have never seen the sun, moon and the stars or the sky, and lived in perpetual agony. We even went to the extent of requesting the authorities to relieve us by shooting outright instead of making us go through these methods of slow torture.

In October, I was removed from Delhi to Worli Jail in Bombay, and I myself do not understand how I survived this torture of living hell in India. The reminiscence of this agonising period is a night-mare. A day in the cell was more than a year and the terrorising shadows have still not left our minds. I hope and pray that the sacrifices that all my compatriots have made with their blood will save the agony which I had to undergo, and the youths of our future generation.

V

I WAS THROWN WITH MY FACE DOWNWARD AND GIVEN SHOE BEATING TILL I BECAME UNCONSCIOUS

**(The Touching Story of S. Narinjan Singh Talib
an Important Sikh Nationalist leader of
Calcutta and a Colleague of Netaji
Subhas Bose.**

I was arrested on 6th February 1942 at Amritsar Railway Station, as I arrived there by Punjab Mail, was separated from my family and was directly brought to the Lahore Fort, where I was put in a dark narrow cell. My family was left in lurch on the Station. They brought me out daily only for five minutes in order to take bath. From next day my interrogation was started. After about a week Bakhshi Sampuran Singh became atonce enraged and began to abuse me in vulgar manner. After this at the instance of Bakhshi Sampuran Singh and R. B. Badri Das, D.S.P., C.I.D. of the Government of India, one Sub-Inspector, whom they called Haji, threw me on ground with my face downward. After stripping me of clothes he beat me with shoes very badly. He then sat on my thighs and beat my chest so hard that I became unconscious. Henceforth I was tortured

in the above stated manner every day. Besides I was kept awake during both night and day. I was not allowed to sit except when in privy for call of nature. If I began to doze I was pulled by the beard. Every part of my body was aching. Some times I thought my end was near. But death even does not come in misfortune. I was given food according to "C" Class, but was given no tea to which I became habituated in the wet climate of Bengal. To complain against bad food was to invite more torture. It was for a week that I was given no water for washing my body and the above mentioned third degree tortures were being inflicted. Finding no change for better in the treatment by the C. I. D., I thought of putting an end to my life. Accordingly one day I threw myself down from the top office stairs. The height of the stairs was small and I escaped death.

I started hunger strike and gave up even taking water so that my life may end as soon as possible. Rumours of these tortures went outside the fort walls. S. Partap Singh of Kairon, M.L.A. asked a question in the Punjab Legislature and my wife filed a Habeas Corpus Petition in the High Court Lahore stating that she did not know if her husband was dead or alive, as her applications were not answered by the Government. The High Court ordered that my wife should be allowed to see me. It was the seventh day of my hunger strike and my life was also nearing the end. The civil surgeon paid a visit to me and stated that my condition was dangerous. If I did not take nourishment I may die at any time. At this period I

became unconscious many times during the day. The same day they brought Sri Guru Granth Sahib from Dehra Sahib and also holy Karah Parshad. Swearing by God they said they would not inflict tortures on me again. Hoping for better days and also to be able to serve my country I welcomed the way to life.

I was allowed to see my wife but on the condition that I should not speak to her of my treatment in the Fort, otherwise no further interview will be allowed.

I was not tortured after this but was frequently slapped and abused, as these things were quite usual in Fort-life for me. I was in the Lahore Fort till 26th June 1942. During the period D.I.G., C.I.D. once told me that I should not be in the Fort during the war time.

During this detention I was never allowed to enjoy a walk. I lost 40 lbs in weight. I suffered from such a bad dysentery in this detention that I became exceedingly weak and have not yet been able to regain my former health.

VI

INHUMAN ATROCITIES

Dr. Lohia's Letter to Laski

Dear Prof. Laski,

As the newspapers of my country have not yet learnt to cut the question hour in your Parliament, I have to trouble you over something you would know nothing about. The Under-Secretary for India, Mr. Arthur Henderson, has said that I have made unfounded allegations in respect of my detention in the Lahore Fort.

I doubt if the Under-Secretary knows what my accusation is. The amazing thing is the repose with which the British Government has asked my country to dismiss my accusation when, in practice, it has made some very awkward though successful attempts at suppressing its publication. Aside from odd bits my country does not to this day know of what I have accused the Government.

While still a prisoner in the Lahore Fort, but after I was allowed to write to the High Court, I made a Habeas Corpus application in December 1944, and supplemented it with somewhat fuller details in Jan. 45. When the hearing was held, the Judge ordered it to be

secret. The Government had earlier taken an added precaution and banned, under one Ordinance or another, all reference in the newspapers to this Habeas case. At the hearing, the Judge declared his intention to go into the merits of my application and I was examined on oath and they were on way to enquiring into my accusation, when he accepted the India Government's plea that I was under orders of transfer to another province and the proceedings were scotched.

In the order dismissing my applications, the Judge also felt that the 'sole motive' of the India Government in detaining me was not to torture me. I regret I am unable to give you the exact wording of this strange order. I may add that I was arrested in Bombay in May 1944, and kept there for a month. If it was the Government's intention to secure King's peace, that could have been very well achieved by continuing to hold me in a Bombay jail or taking me to another as now, in my home province, the United Provinces.

In respect of prisoners ill-treated in the Lahore Fort, the Punjab Government has often amused the country by passing the responsibility on to the India Government. The British Under-Secretary has now almost passed it back to the Punjab Government. So far as it concerns me, the India Government is the culprit, for I have been its prisoner in law as in the fact that recurrent orders for my ill-treatment emanated from it, and the Punjab Government is an associate in crime.

No Government in your country could so interfere

with justice or shirk a criminal charge against it. On my transfer to this jail, I made an application to the Federal Court, but the Chief Justice of India felt that he had no jurisdiction of any sort. After several months' delay, I have succeeded in contacting my lawyer Mr. Madanlal Pittie, but I do not know how much longer it would be before he is supplied with copies of my applications to the Lahore High Court. These were seized from me on my transfer from Lahore to Agra.

Torture in Lahore Fort

I do not intend to detail to you my rather long experience in the Lahore Fort. Should your Parliamentary Party or any of its members be genuinely interested, they can easily obtain the two applications to the Lahore High Court and the third to the Federal Court as court documents. I must add that these applications are a definite understatement of what I had to go through. In the first place, I have avoided mention of vulgarities and in the second the short scope of a court application and my inadequate talents would have made me sound dramatic, if I had tried to communicate the dull but ugly cruelty as I felt it. I had hoped that the hearing in the court would bring it out more fully. I would here indicate that I was ill-treated in one way or other for over four months, that I was kept awake day after day, night after night, the longest single stretch running into ten days and that, when I resisted the police in their efforts to make me stand, they wheeled me round on my

manacled hands on the matted floor. It took me some time to learn as a physical fact, and a lesson I should like never to forget, that no pain is actually unbearable ; it has either been unbearable in the past, but then the man is insensible or dead, or it appears to be unbearable as an imagined state of the next moment.

It is true that I was not beaten nor were needles driven under toe-nails. I do not wish to make comparisons. A European, more than another, with his better sensibility to the human body and if he is not dulled with horrors, may realise what I underwent. But, if beating and bastinadoing to death or near about it and forcing the human mouth to considered atrocities, these and worse have also taken place. I will give you one or two instances, as readily come to my mind. One man swallowed poison in a police outpost of the Bombay Province, another threw himself down a well in a U. P. Jail and of those who died through beating or ill-treatment after their arrest, there is no checking up except that in one Orrissa jail out of over 300 in the country, the number of deaths among political prisoners rose to around 29 or 39, I cannot exactly recollect.

My country has gone through a great deal in the past three and a half years. Men have been shot dead by the thousand, some out of moving vehicles as test of marksmanship or to instil terror, women have been strung up on trees and lacerated or raped on the public road and houses razed in the Lidice or Bécassai fashion, though not as intensive in a single area, but in the total,

vaster by the score. This is not surprising. Once it is understood that the country was reconquered in terror and vengefulness, the fact that nothing more massive than the August Rebellion is known to modern history explains. Three to four million died in the created famine. Already, there was beating of another kind 15 years ago. My father, who died in a bus two weeks back, was beaten unconscious in the wholly peaceful raid on the Dharsand salt depot. Aside from my regret that we had not enough time together, it is as well that he is freed from successive imprisonments and worse in his own country and from the oppressive sense of a nation's suffering that goes with these.

Orderly Rule Gone

I have given you the national picture to fit into it my own experience as a very small bit. The British Labour movement as any other Socialist movement, has been erring, because it views foreign rule on the ground of democracy or fascism or other political forms at home. If pre-conceived notions are cast away, it is just possible that the British system of ruling my country may be found to be slightly worse than any other, or it may be slightly better, that would depend on one's understanding of facts. No one would deny that British rule in Hindustan has as a young brute been heinously atrocious, it is again becoming so now that it is declining into an ageing ogre. The middle period of secured and comparatively orderly rule is gone beyond recall. I do not know if it is at all possible to prevent or even to mitigate the ugly doings of this ogre. But this I know

that the British Labour Movement will not even have made an attempt, if it theorises foreign rule on any other view than that of bloody youth and crueller decline, with the middle period, at any rate in my country, dead and gone.

In face of all this, the Under-Secretary has had the brass to call me a liar. All Governments, as known to everybody, tell lies on the reaches of high policy, but when a Government does so at the level of persons and minor things, it must be wholly mucked. Isn't there one man in the Parliamentary Labour Party—mentory Labour Party—who can bring this out? Should it be said that the doers of these atrocities are in large numbers my own countrymen in British Employ? I do not deny that there is a great deal of rottenness in my country and that is what makes it so galling, but the Englishman thinks he would not be here unless he made use of it.

Miss Usha Mehta's Case

Not wanting to release me, the Under-Secretary has also said that the Government is considering the question of my prosecution. I am now under detention for over a year and a half, apart from my imprisonment of two years early in the war, and if the Government has not yet completed considering this question, it may well go on doing so indefinitely. There is a young woman in a Bombay jail, Miss Usha Mehta, perhaps the only woman political in the jails of that province who is doing a term of four years for running a freedom

radio. I am not quarreling with her sentence, although, had this young woman of rare attainments and rare courage been Spanish or Russian, your countrymen would have glamorised her into a heroine. She was held under detention for a year and for several months more as an undertrial, so that if this judicial lapse had not taken place she might have well completed her term and be out now. I might add that her trial and that of her colleagues was banned from the newspapers.

Of the 8 to 10 thousand political prisoners, a large number of whom are classified as ordinary criminals, almost the entire lot are held in prison, aside from the inherent iniquity of their sentence or detention owing to one lapse or another even under the existing law. A few days back, ten persons serving life terms were released, because the Allahabad High Court found they had been convicted on the evidence of an 'unmitigated liar'.

Jayaparkash Narain

Mr. Jayaparkash Narain, General Secretary of the Socialist Party is now under detention for over 2 years, apart from his earlier conviction and detention of nearly three years, and the India Government on its own declaration, has been considering the question of his prosecution ever since his arrest. It will presumably go on considering the question, meanwhile holding him in prison. I do not know what kind of an answer Mr. Leopold Amery would have returned, had he been asked about my detention and presuming that he had still

wanted to hold me in prison. I like to think that he would have taken his stand on the usurper's unhedged power and would have just said that I was detained under the laws of the land, whatever they might be. That would have been better than a Labour Under-Secretary's screening of a bad deed.

The Government is afraid of placing us on trial and it will continue to be so affrighted. Our trial may end up in its own trial. Except for the Indo-Russians, no one can possibly think that we have worked for Axis Victory in intention or even in the unintended results of our deeds. In fact, Mr. Jayprakash Narain had wanted that an appeal be sent from freedom press of this country to the British Socialist movement, but I felt that there was not at that time a worthy enough head of the movement nor any actively favourable elements to whom such an appeal could be sent.

A Vague Charge

Then the charge is levelled against us that we have tried to achieve our aim through violence. It is a vague charge and as such, has no validity in law nor a place in any coherent political discussion. The drawing of the line between violence and non-violence as a method of political endeavour is an essentially Indian beginning and is wholly distinct from the accepted opposition between constitutional and unconstitutional means and must therefore await recognition, until, if at all, the Indian National Congress is able to create a State with

its politics. That such an event will also radically alter the concept of Government and its obligations. Meanwhile, it does not lie in the mouth of the British Government or of any other to throw about this charge, for the right to violence is in the dominated world linked up with some of the finest efforts of man. If I were to follow the British Prime Minister, Mr. Clement Attlee or the Archbishop of Canterbury, I would have to call it the sacred right to violence. For the rest, the Indian Penal Code is drastic enough, more drastic than any now prevalent. There is ghastly provision in it against the political kind of killing or the very vaguest association with it or sedition or the mere owning of arms. I have not been put up for trial on any of these counts, nor the many hundreds, who have been detained almost throughout the war and are still in prison several months after the last fascist was let out in your own country. In lending the smallest countenance to Government's plea that everybody still in prison is a Socialist and advocate of violence, the British Socialist is deliberately enabling the British Fascist in this country to work out his lawless ire against the Indian Socialist.

If Mr. Stephen Davies, a member of your Parliamentary Party thought it worthwhile to question the Under-Secretary about me he should also have acquired necessary information to bring out through supplementaries how inept and unworthy the answer was. Questions asked in a hurry and in pursuit of an unpleasing duty or to create an illusion are worse than

no questions at all. For the present, at any rate, I have little desire for release and there is no urgency of any sort whatever. The British Government is welcome to hold me in prison as long as it lasts in this country. But the fact remains that there was not one man in your Parliamentary Party who could tell the Under-Secretary with facts that he was lying, that he has not so far nor shall put me up for trial, that he did his habitual screening to make my detention more palatable to the stupid.

All writing from a slave country to the ruler's land is largely ineffectual and wearies, but I hope you have not asked yourself why I have not addressed this letter to your Parliamentary Party.

Please accept my warm greetings.

VII

I WAS THREATENED TO BE SHOT WITH A REVOLVER

(Giaini Mehar Singh's Statement)

I was arrested on 17-8-42 at 1 A. M from the office of the Amritsar District Congress Committee. The same night I was taken in a lorry to the Gobindgarh Fort, Amritsar. I was allowed to take the same bedding with me as I had got at the time and was disallowed to take anything else along with me to the fort. I was detained there upto 1-9-42. During this detention period my friends and relatives were neither allowed to visit me nor to give me anything else. In this state of utter helplessness I was transferred to the Lahore Fort on 1-9-42. On arrival there, I was put in such a cell which was utterly out of reach for the air and the light and was awfully hot inside. After every twenty four hours I used to be taken out for a few minutes with the purpose of giving me a bath and after that the same cell.

Besides the inhuman behaviour and insolent manners of those incharge of the fort, the food that I ate used to be thrown in from underneath the door from outside ; and the same happened to be sometimes,

so foul that it was not humanly possible to eat. I made repeated requests for getting my clothes and luggage but they fell on deaf ears. I desired to send a petition to the Government but I was denied even paper for this purpose.

On the third day, I was presented to S. Banta Singh, C. I. D., Inspector, who was especially deputed for me. On my going before him he began to say "Look here, you are now in the Lahore Fort. Even your voice cannot be heard outside, you are now in Government detention. You shall have to tell us everything that we would require of you. If you don't, our Government does not care even for your life. We have been specially asked to keep an eye on the Forward Bloc people and if need be to even shoot them dead."

After that I had been continuously confined to a solitary cell for four days, after which my statement was recorded. During the course of my statement, I was tortured for some such things which were either absolutely not known to me or they were utterly false. For two or three nights, I was not allowed to sleep even. During day time I was kept in an underground cell called Kothi Khana, where special guard was placed to keep me from sleeping and was further terrorized by saying that I would be buried in an underground cell. The things which either I did not know or were false are given below :—

1. I have been getting here in Punjab special programme from the Forward Bloc party of Bengal and working according to that.

2. Chaudhari Kartar Singh and his supporters in Punjab are the agents of some foreign powers.
3. Master Tara Singh and his party are in some sort of alliance with Subhas Babu and S. Baldev Singh is also a party to that.
4. Akali party is in possession of an ammunition store to which Maharaja Patiala, S. Baldev Singh, Seth Birla and many others have contributed with money.
5. To give the names of those persons whom Akalis have got enlisted in the army to increase their strength.
6. Who are the persons who have been supported with money by the Forward Bloc to work in Punjab ?
7. By what means and which way Subhas Babu managed to get out of the country and who are the remaining members of his party now in India.
8. How many military absconders are in our service and at what places.
9. The new organization of the Akalis was aimed at establishment of their own Government in Punjab and what part I played in that

The C. I. D. officers got exasperated when they could get no answer to the above questions and sometimes they threatened to shoot me down there and then with a revolver.

I had clearly told them of my ignorance of the above mentioned things but they were adamant. S. Banta Singh threatened to get everything out of my bones. He would say "Look here, you cannot conceal anything from us. Only your brains need to be set at right and that we shall do presently."

I was given threats as well as alluring temptations. On account of my being disallowed to sleep continuously for seven days, I got acute pain in my bones and also temperature as high as 104. But these tyrants did not leave me even in fever. The result was that my health began to fast deteriorate. To begin with I was not given any medicine whatsoever but later on, when one day I fell down in a swoon in the very office and afterwards violently vomited, the doctor had to be called in. But the malaria had become greatly complex and its remedy was not easy. They cared more for my statements than my illness. They got devilish sort of pleasure to torture me during my illness.

I remained upto 7-11-42 in the Lahore Fort. During all this time I was not to walk about, while no visits of relatives as well as friends were allowed. I was given the food about which the less said the better. Consequently my liver went seriously wrong and I got permanent fever, for which I had to undergo treatment continuously for several months in jail.

I don't want to say anything regarding my comrades who, I know, have also been put to horrible tortures at the hands of these C. I. D people.

VIII

THE STORY OF MY SUFFERINGS

by Dhruva Dev

Since the tumultuous days of the year 1930, I have been a suspect of the police for alleged political activities of terrorist nature. During those days I was running a photographic business in New Delhi, when the police arrested me and detained me in the notorious Lahore Fort—without any semblance of trial or legal docorum. On a writ of Habeas Corpus the Punjab High Court found my custody illegal and, much to the annoyance of the police, ordered my release, after I had been in the Fort for about a month and put to question-able tortuous methods for extorting information.

This detention and confirmed police shadowing and repeated arrests for involving me in some case or the other in which they were always unsuccessful ruined my business at New Delhi. I had to launch a new venture as Prabhakar Photo Studio in Amritsar where my parents and brothers were living.

Meanwhile the Police ghosts continued to haunt me. There were occasional search raids by the Police. Not on one occasion any incriminating article was found. Number of times I was taken for questioning,

thrown in dingy unhygienic cells, which the Indian Police System provides, in company with thugs and criminals and the unfortunate people from the lowest rung of the unhappy Indian society, addicts and sufferers from venereal diseases. After a few days I tried to be set free. Never during these days was a case initiated in a Court against me. Police who was sufficient to seize every civil liberty that one possessed. Life seemed to be so insecure. But these happenings lost their sting with every repeated occurrence and things began to settle down when war clouds burst over a confused world in 1939.

In India, the era commenced with renewed police surveillance over all erstwhile political suspects. The first reactions of the war on Indian Political Parties were favourable to the bureaucracy and they were prepared to play a game of waiting. Slowly consciousness came to Indian Political Parties that Government wanted co-operation of the Indian people in the war at their own terms and even the demand for declaring the War Aims including freedom to India was being evaded. The Indian offered real, conscious co-operation only if the character of the war could be changed from the Imperialist to a world war for Democracy, in place of the extracted, forced and seized help that British were getting from the Indians under duress.

The Indians were hoping fondly for the best while the die-hards, smug with the powers that they wielded, stiffened and began to look for an opportunity to clap

all the politically conscious Indians into Jails.

In my case, circumstances so shaped themselves that any idea of actively participating in any struggle, open or underground, was far fetched. My father, Principal of Shri Ram Ashram High School died in 1940 and responsibilities on us three brothers became graver. My elder brother, Sjt. Vir Dev had to take my father's place at the institution and my younger brother joined me in my photographic business. Our financial condition was not very happy and we could not think of relinquishing our posts. We were to provide for our families as all of us were married and also for our mother and a still unmarried sister.

Then came 1942 August 9th. To strike a terror in the hearts of those who talked freedom and Democracy the Government ordered wholesale arrests and any person that counted in India was secluded and detained without trial under the monster of Defence of India Rules. What was glory to people the world over, fight for freedom was crime for us Indians,

After that memorable date, India rose in a mighty revolt against the regime spontaneously. Arrests, lathi charges, shooting of unarmed people, use of aeroplanes at some places for the purpose were the story of the day. Every conceivable method to terrorise a whole people was used. Punjab, meanwhile, remained unaffected and singularly quiet from any political disturbance. The Punjabee was happy, his pockets bulging with the profits reaped due to soaring prices in agricultural produce.

The Punjab Police, anyhow, could not remain inactive and brook the possibility of being called idle. All over the rest of India their counterparts were having fine times, their hands reeking with the blood of their fellow nationals, their heads swaying with the overdose of power they were drinking. The Punjab Police began to warm itself and, like cats nosing around for mice, began to smell mischief.

Sordid tales of the unhappy families left to look after themselves in the troubled time, of a universal war were being whispered all over. Thousands had been segregated leaving behind women and children with no one to look after. People came from other parts of India asking for meagre humanitarian help that we might be able to organise and give. Atleast we could do this much. In the name of humanity alone, I decided that this call for humanitarian help could not be ignored. In unison with the self-sacrificing hero of the Punjab Dr. Saif-ud-din Kitchlew and a few friends, we began to collect funds for those who had been stranded for no fault of theirs.

It was in the evening of March 19th, 1943 that the summons came without any time being given to hail a dear parting to my wife and only child. I was removed to the Amritsar Fort and was immediately swooped over by a number of officers and men of the Punjab C.I.D., that organisation of legalised gansterdom. There were such celebrities as W. D, Robinson, S. P., C.I.D., Lahore now S. S. P., Delhi, Sheikh Mohammad Asghar, D.S.P.,

Maharaj Krishana and Narang Singh, and other inspectors. My questioning began immediately Where is Dr. K. N. Garola, M.D., Mr. Inder Chand Narang, Lahbre and Mr. Jiva Ram Palival? What political activities have you been indulging in lately? Name out your associates, speak out your betrayal. We wield force, we can bribe, we can ruin and we can bless. They were threatening and cajoling.

What was I to answer? Though I had met a number of persons about whom the police were enquiring, how were I to know their present whereabouts and even had I known how could I have dared to implicate persons whom I knew to be innocent. They abused and Robinson took upon himself the task of teaching me a lesson. He began with slapping me with his white English hands. The Indian subordinates blubbered out their approval by joining the spree with shoes, sticks and fists. The white man, whose shoulders were heavy with the burden he had taken upon himself to enlighten and civilise the black man, Robinson representing that class, bared a bayonet and began to beat me with the hard leather cover. I had no option but to keep mum. The beating continued. I was weak enough to swoon. I was brought around by application of water. As soon as I gained consciousness, the beating was resumed. He would teach me a lesson, he said. My brothers and sisters and wife and sisters-in-law would be arrested. Know you, there is no limit to what we can, and will do, he belched out.

At last he tired out first and leaving me in charge of the rest, left cell after midnight. Now the Indian heroes had their fill against me. Till 4 a.m. I was subjected to this third degree grill to squeak out what I knew. As dawn approached these people too jagged and tying my hands to the pegs in the wall, thus making me to keep standing for the rest of the dark hours, retired.

Next morning, Robinson again came and repeated his threats. He had to go back disappointed.

On the same and the following day, my elder and younger brothers, Sjt. Virdev and Indra Dev were also arrested, brought to the Fort to satisfy the whim of a single person, without any trial, without any opportunity being given to make arrangements for a poor, old mother, minor children and helpless ladies. My brother-in-law Mr. Lekh Ram to whom my younger sister was married in January, 1943, was also taken in custody. They were also subjected to interrogation. Mr. Virdev was told that he was being arrested as he must suffer for the activities of his younger brother for which he must be held responsible being the eldest in the family.

I was aching all over, bruised and swollen. But my spirits were hail and hearty and stood up to the torture of this hell. The cells were dingy and mosquito infested. Each cell was to be used as a lavatory, bedroom, dining room, drawing room in itself. Every second of the twenty four hours of a day of the Indian summer was to be spent inside this cell. Meals provided for were proverbially unfit for human consumption.

Could the Belsen Camp and the Dachau concentration camp under the Nazis be at all worse? Where lay the difference between the warring nations?

After about forty days, detention was changed from under D. I. R. 129 to D. I. R. 26. This rule empowered indefinite detention without trial so as the war machine that was fighting the Axis could continue its operations without any hindrance from ourselves? We were removed to the local jail and thereafter to Multan. The transit from Amritsar to Multan was an experience. Both hands of each of us were handcuffed. Both the feet of each of us were forcibly bar-fettered in spite of our protests. No meals were provided at all from Multan Railway station to the Jail, a distance of seven miles, we were made to walk on foot. No criminal of worst character could have been thus treated by any society professing civilization. But Indian patriots here are treated worse than such criminals even.

It is necessary to undergo Jail life to know anything about it. This time the rules were more inhuman. No interviews were allowed. Only one communication per month was permitted. The lot of those who fell ill was indeed very unfortunate. There was no proper medical aid. People could have simply eaten themselves away, killed themselves out of life.

My elder brother Sjt. Virdev was detained for about eight months, myself for about 12 months, my younger brother Indradev for about 1½ years and Mr. Lekhram for over two years. Mr. Indradev, myself

and Mr. Lekhram were released only when we were well advanced in our respective ailments. Mr. Indradev was suffering from persistent piles, high blood pressure and nervous breakdown. I suffered from serious intestinal trouble in the stomach. Mr. Lekhram was operated upon for Appendicitis and Piles and lay confined to his bed in a solitary cell for months. When he was released, he was a skeleton of his former self.

Even our release meant little help to our strained financial position. We were interned within the limits of the civil lines and could not go to our shop which had remained locked in our absence. For months, this nonsense of our release and yet no restoration of our means of livelihood continued.

This statement of facts has been necessitated by the daring the Government has shown recently in refusing to enquire into the barbarities perpetrated on political prisoners by saying that such acts were simply not done. Everything given here is true and correct and borne out by our own experience.

IX

I WAS STRIPPED NAKED AND MADE TO STAND ON THE ROAD DURING DAY TIME

(Statement of Ajit Singh Bhussa Jathedar
Gurdwara Shri Baba Atal, Amritsar)

I was arrested on 24-2-43 from Amritsar. That night I was kept in the lock up of city Police lines, the like of which, in the foulness, is hard to find. The place emitted noxious smell of urine and not to speak of sleeping in the conditions, the inhabitant could easily fall a victim to many a dangerous disease. The following day I was transferred to the Civil Police Station Amritsar where I was kept for seven days. I was not allowed to take any bedding with me and when my relatives went to deliver the same to me, the Police authorities disallowed. The winter was at its full swing and I had not even a sheet of cloth to cover me. The Police authorities in charge of me simply laughed at my helplessness.

The next day, S. Naurang Singh C.I.D. Inspector Lahore, was appointed for the purpose of getting my statement. He was assisted by Sardar Fauja Singh and Khushal Singh Sub-inspectors. S. Naurang Singh issued orders that I should not be allowed to sleep from the next day and at the same time, water for the purpose of

taking bath was disallowed. I passed seven days in the same condition. After that I was transferred to Gobind Garh Fort Amritsar where I was produced before Mr. Asghar Ali, D.S.P., C.I.D. Incharge Amritsar Branch. S. Khushal Singh S. I. Police was also there to assist the before named D.S.P.

After interrogating me for some time, S. Khushal Singh S. I. suggested that I should be taken to such a Police Station, where they should be in a position to get their desired statement out of me. With this purpose they transferred me to Police Station Jopoke in the Amritsar District and S. Madho Singh S.I., C.I.D., was appointed to get my statement. S. Gurbachan Singh S.I. Police was incharge of the Police Station. There was also stationed another Sub-inspector with special staff of Police.

S. Madho Singh reached there after two or three days. The course of torture commenced right with his arrival. By his orders, S. Gurbachan Singh, S.I. got off my clothes and beat me on my naked head with shoes and also pulled my Keshas (hair). I received so many slaps and fists by Police Constables of both branches of Police, that my head began to tremble and the whole body began to fall down under helplessness. Throughout that night, this inhuman beating and torturing continued.

I was kept for about eighteen days in this Police Station and for about twelve days out of this period, I used to be beaten twice every day. Sometimes, they

would strip me naked and make me stand on the road during day-time. The passers-by were forced to abuse me. After the course of beating, I used to be handcuffed and the same tied to the iron bars of the prison gate, so that I should not sit down or take rest in any other manner. I was once again brought to the Gobind Garh Fort Amritsar. But even here, the tortures continued.

By this time, I was so much reduced, that I almost fainted during the torture. Alongwith this foul treatment, I was given C Class Prisoners' Food, which was in no way sufficient to keep up the human health. I remained in the detention of C.I.D. for more than two months. I was arrested in connection with Manawala Railway accident case which was allied to 1942 Congress Movement. But the C.I.D. Police did not succeed in proving the above mentioned case.

After this, I was transferred to Montgomery Jail where I was put in the C. Class ignoring the agreement reached between Security Prisoners and Central Government in Deoli Camp, according to which every Security Prisoner were to be given A Class. But, throughout my term of detention in Montgomery and Multan Jails, I was treated as C Class prisoner. On account of the tortures of the Fort and bad food of the Jail, I began to have fever. C Class prisoners are not treated as human beings in the Jails of the Punjab. I was not the only one who suffered in Amritsar Fort, but I know many others, who met the same fate there.

I WAS SHAMELESELY BEATEN WITH SHOES FOR TWENTY EIGHT DAYS

Statement of S. Nirmal Singh of Jullunder Distt :

I was arrested on January 6th , 1943 from Gurdwara Dehra Sahib (Jamarai) in Amritsar District. In order to arrest us, the Lahore C. I. D. Police brought a huge Police force and tear gas was used. After arrest, I along with my comrades, was taken to the Gobindgarh Fort, Amritsar. We were given absolutely no food to eat on that day and in the same condition, were driven to Lahore Fort the same night. I was confined to a cell and even there food and drink was denied to me.

The following night I was taken hand-cuffed to the office of the Fort, where S. B. Sampuran Singh and Khan Bahadur Ahmed Shah interrogated me. The course of torture was started against me from the very first night, S. Sampuran Singh with the help of four C. I. D Constables, got hold of my hair and most shamelessly beat me with shoes and hurled all sorts of filthy abuses on me. This inhuman treatment lasted for twenty eight days.

Throughout this period, I was forcibly kept awake day and night, As a result of this severe torture

and manhandling I fainted thrice and once even my right arm got dislocated. During these 28 days, I was, sometimes given half of the usual food as a punishment by the order of the Deputy Superintendent C. I. D. and I was not given any water, apart from that which I got with the meals, to bathe and wash my hair. I was disallowed to send for my own bedding from my home and the blankets that were given to me, were absolutely unfit to sleep in. In this condition I remained upto the last week of February.

I was arrested in connection with Simla-Kalka shooting case and Kiratpur murder case for which I was put to such a severe torture. But the Sessions Judge, of Hushiarpur on the opinion of the Assessors declared me "not guilty" and acquitted me. Even this judgement and my acquittal could not satisfy the C. I. D. Authorities with regard to my character and they again arrested me under 26 Defence of India Rules just in the Court premises, and sent me to Montgomery Jail. After ten days, the Jail Authorities, on receiving instructions from D. I. G., C. I. D. and Home Secretary to the Punjab Government put me in a seperate cell and iron bars were put on my legs. This punishment continued for one and a half year after which my iron bars were removed. At that time I was in District Jail Multan, while my solitary confinement lasted as long as to the day of my release i. e. April 18th 1946 about 4 years time.

Throughout this long period of detention, I was not allowed to interview any of my relatives or friends and was given the food of C. class prisoners which is in no way sufficient to keep up the human health. I am not the only one to become a victim to these tortures of the C. I. D. Police but my several comrades have, also undergone the similar treatment in Lahore Fort.

would be continuously kept in the office, then be taken, to the cell for an hour, brought to the office again for an hour or two, taken back for an hour again and so on till the morning. The interrupted parcels of hours that I got in my cell could hardly bring me sleep for just as I would be dozing off the time would be up and I would be brought out again. On paper this process perhaps does not appear to be so torturesome, but I can assure you in all honesty that when continued for days it is a most oppressive and nerve-racking experience. I cannot describe it as anything but torture.

In the second week of December, this torture suddenly stopped, as did the 'interrogation'. A few days later I was informed by you that my interrogation was over.

My grievance is that I have been tortured and treated in this fashion without any justification or warrant whatever. There is, or can be, no moral or legal sanction for it. Even the all-sweeping ordinances do not permit such practices nor vest the police with such powers. A prisoner is a most helpless creature, and whatever his crime, civilization safeguards against his ill-treatment. For his crime he may be hanged if the law required it, as a prisoner he may be punished according to prison rules, but he cannot be harassed and tortured for refusing to give information to the police. That a political prisoner should be so treated is still the more reprehensible. Here I should like to draw the attention of the Government to another aspect of the

matter. I have no desire to appear vain or boastful but in order to make my point I must say that if the C. I. D. went so far with me it can be imagined how much further it can go with persons, who perhaps worthier than myself, are yet not in the public eye or do not hold any position in public life. That such people should be completely at the mercy of the C. I. D. without even the right to petition to Government is a state of affairs that should not be permitted to continue.

Suppression of political opponents is of the essence of Nazism and Fascism and torture of political prisoners their most characteristic feature. I am conscious of the argument that those who believe in violence as a political method as I do must be prepared to be forcibly suppressed. I grant that, but there are lawful means even for such suppression. A political revolutionary may be executed for his offences when found guilty by the established law, but he may not be put to any torture for the extortion of information. War is the deadliest, most brutal and violent form of political conflict. Yet a prisoner of war has certain rights and immunities which civilized society scrupulously respects. The same person who would be most mercilessly bayonnetted to death in the field of battle would be immune from ill-treatment in the war prisoners' camp and would receive such amenities as the standards of the countries concerned and his own status would warrant.

**JAI PARKASH NARAIN'S PETITION
TO THE CHIEF JUSTICE
LAHORE HIGH COURT**

This is the third petition I had made to the Lahore High Court on 2-1-45. It was heard on 31st January 1945 and I was transferred from the Lahore Fort to Agra Central Jail the next day. The petition, of course, was rejected on the ground that as the Central Government had informed the court through the Assistant Solicitor General, who was present at the hearing, that the Government had decided to transfer me to an ordinary jail outside the Punjab and as the charge of maltreatment and torture related to incidents that took place more than a year before, the court saw no reason to entertain the petition. The presiding Judge went further and remarked that the purpose of the petition had been served in as much as I was to be transferred soon to an-ordinary prison. The purpose, however, had not been served at all. My main purpose in petitioning to the High Court was to bring out the dark and sordid facts relating to maltreatment of detenues in the C. I. D. Fort, Lahore, and to make it possible for a Court of Law to examine those facts and pronounce a judicial verdict. The Lahore High Court, however, proved to be too much under the thumb of the Provincial Executive, for, it refused to take notice of the serious complaints made by

him if I then wanted to do so under the conditions prescribed. I had thought then that I would take advantage of that opportunity as a second choice and make the best I could of it. It is not clear from the Courts' order why a second chance was not given me even though Mr. Kapoor seems to have asked for it. Perhaps the language of the affidavit, which was rather categorical, was responsible. I wonder if the layman's language does not say things more clearly than legal forms of expression. However, I regret very much that I was unable in the end to instruct my legal adviser, with the result that my case could not be presented in the manner I wanted and to my better advantage. But I should like to make it clear that I am not making a grievance of it.

Here I should like, with your Lordship's permission to explain why I refused to proceed with my interview with Mr. Kapoor. Firstly, I was under the impression that a prisoner had a right under the law to see his legal adviser alone or at least without any officers of the State being within hearing distance. I wanted to exercise that right. There were two other considerations. The learned Judge writing on this point observes, "whatever information the petitioner had to give to Mr. Kapoor could only have been intended to be publicly communicated to this court and could well have been given within the hearing of police. I do not see any real reason in the petitioner's not letting the police hear, what they were bound to hear a few days later." I submit that this is a very partial view of the matter. Let me describe the situation at the interview ; there were two police

officers present and there was a police shorthand writer sitting beside me. It was clear that whatever I or my counsel said, or the parts of it that interested the police would be taken down verbatim. The whole affair looked more like a prisoner making a statement before the police than consulting his legal adviser. Now, when a defendant or complainant meets his lawyer he does not merely lay before him facts that would be stated in the open court later, but also discusses all the points of his case. There are weak as well as strong points ; there are pros and cons of every point ; there is the manner of presentation of the case. All this requires a free and frankly discussion between him and his lawyer. I too wanted to discuss frank my points in all their aspects and seek and give advice. But this was impossible with the police officers listening in and the stenographer taking notes. Such a thing would be impossible anywhere in this country, but specially so in this province, where the state of civil liberties is so low and where the "all powerful punjab C I.D." is such a terror even to the law-abiding citizen.

There is a third point in this connection which I wish to urge. My counsel after receiving instructions from me was to argue my case before the court and the crown counsel, the Advocate-General was presumably to attack it. Now if all the details of my instructions to Mr. Krpoor, including the notes of our discussion were to reach the hands of the Crown counsel before Mr. Kapur had a chance to appear in the court, would it

have been considered, giving me and my counsel a fair deal? I do not think there was anything to prevent the police from supplying a copy of the notes taken at my interview to the Acting Advocate-General. I regret very much that these aspects of the question were not considered by the learned judge.

(2) The second part of my submission relates to certain facts incorrectly stated in the judgment on my petition. I do not know who supplied these facts to the court. If it was my counsels they are obviously not to blame because they could not have known them correctly. If, however, it was the Crown, I do not see why it should have been thought necessary to mislead the court. Perhaps it is not vital to my case to correct these facts, yet it seems proper to me that the court should be correctly informed.

I have never denied that I escaped from the Hazaribagh Central Prison in Bihar, But this was in the company not of one another prisoner but of five others. Further this was not in 1943 but in November 1942. I was arrested at the Amritsar Railway Station as I was travelling by the Frontier Mail from Delhi to Rawalpindi, and the date was the morning of September 18, 1943. It is stated in the judgment that I was arrested at Lahore on August 19, 1943 presumably under rule 29 of the D. I. R. and on September 22 my detention was converted into one under rule 26 of the D. I. R. The facts concerning my arrest are wrong; I do not know if the facts relating to my detention are true,

because no orders were served on me at that time. Further, I am not a member of the congress working committee, nor was when I escaped from the Hazari-bagh prison. In fact, except for a brief period in 1936, I have never been a member of that committee. I am particularly anxious to correct this information, as I do not wish the working committee of the A. I. C. C. to be in any manner associated with my recent activities and views.

In this same section, I should like to narrate the succession of Government orders as they were served on me. The first such order was that of the chief Secretary to the Punjab Government asking the I. G. (or D.I.G.) Police to detain me in the Lahore Fort as a prisoner under the Bengal Regulation of 1818. This was about the middle of November 1943 i. e., as it now appears to me only a few days after Mrs. Purnima Bannerji moved her application. I know nothing of the previous orders under ruler 129 and 26 of the D.I.R. The second order to be served on me was again an order of Mr. Bourne directing this time that I be detained there as a security Prisoner. This was the order of July 1st 1944 mentioned in the judgment. As for the order of Mr. Sahay, Jt. Secretary, Home Department Government of India, I have no knowledge. Sometime later, an order of the Central Government of August 23, 1944, signed by Mr. Tottenham was served on me directing that I be detained here in pursuance of an order already said to be in force under clause (b) of sub-

section (1) of section 3 of Ordinance III of 1944 and sub-section (4) of section 3 of the same. The last order to be served on me was a few weeks ago and was dated November 30 and made by Mr. Tottenham Directing that the order No. III/4/43 M. S. of 27-6-44 shall continue in force.

Thus for the orders, here I should like to bring to your Lordship's notice a curious fact about the first order to be served on me. As I have stated already, this order, placing me in the category of a state prisoner, was served on me about the middle of November 1943. I do not exactly remember the date, but I am certain that it could not be later than the early part of the third week of November. I was made at that time to sign the order paper in question and I believe I also put down the date. Months later when it was finally decided by the Punjab Government (or may be the central Government) to make available to me all the privileges to which a state prisoner is entitled in this province, Mr. Robinson, Superintendent of police visited me on February 1, 1944 in order to communicate to me the Government's decision. I was informed among other things that I should get a monthly allowance of Rs. 50/ and that the arrears of this allowance beginning from the date I was made a state prisoner would also be paid to me plus an initial payment of Rs. 50/. He said that the sum in arrear together with the initial amount came to Rs. 125/ which would be credited to my account. At the moment I did not stop to examine the figure he mentioned. Later when I did my own calculation the

sum in arrears appeared to be Rs. 175/ (initial payment Rs. 50/plus Rs. 25/ for half of November plus Rs. 50/ for December and Rs. 50/ for January). When I raised the matter with the local Officer-incharge, he told me that the official figure had been computed as from the middle of December (i. e., initial payment Rs. 50/ plus Rs. 25/ for half of December plus Rs. 50/ for January). When I pointed out to him that I was made a state prisoner about the middle of November, he naturally admitted the incorrectness of the official figure, but appealed to me on grounds that he did not make clear not to pursue the matter. I was not at all concerned about the fifty rupees, and there being no reason to attach any significance to the matter, I, for course, dropped it.

Looking back, however, it is clear to me that somebody had a definite motive in letting it appear that I was made a state prisoner not soon after Mrs. Bannerji's application in the Lahore High Court, But much later, or possibly there was a different motive. But without the assumption of a motive of some sort it does not appear that it could have been worth Mr. Robinson's while to be made deliberately to deprive me of a paltry sum of Rs. 50/.

Here I should further like to draw your Lordsh^{ts} attention to the rather strange fact that whereas the dates of all the orders served or not served on me, including the alleged order of September 22, 1943, have been disclosed to the court and mentioned in the judgment, the date on which the order under the Bengal

Regulation was made, was apparently not stated, for it finds no mention anywhere in the present judgment.

I cannot say if this curious fact has any importance in relation to the subject matter of my petition. I have stated it for what it may be worth. I should like again to say that I am not in the least concerned about the fifty rupees involved and wish to lay no claim to them.

I am unable to judge if this narration of facts in any manner affects the findings of Mr. Justice Munir. That is for your Lordship or the learned judge himself to determine and for my counsel to argue, if any new point for argument does arise.

(3) Coming to the main part of my petition, namely, the legality or otherwise of my detention, I must say that I have not the least competence to discuss the matter. Yet I should like briefly to state my case. Before I do so I should like to express my satisfaction that the court rejected the Crowns' contention that no order made under Ordinance III of 1944 came within the jurisdiction of the courts.

My counsels, in the absence of any instructions from me, have tried to present the case as best they could on the basis, I presume of the information contained in my previous petitions. They attacked the order of my detention on two grounds, namely, that the authority making the order was not competent to do so; secondly, that the order was made for a malafide purpose. The first ground was rejected on the presump-

tion that authority must have been delegated to the Joint Secretary to the Government of India to make such orders. The presumption may be right, probably it is, but there is no positive proof for it. The second ground was rejected on the basis that there was no reason to presume that interrogation was the sole purpose of my detention, and further, that in any case there has been no interrogation after December 10, 1943.

My own case briefly put is as follows. I freely admit that according to the law forcibly imposed over this country my activities both before and after my escape from prison would be found to be aimed at disturbing the public order and interfering with the effective prosecution of the war. That I consider these activities to have been in the best interests of my country, is a political view with which the law and the courts, as they exist here, have no concern. And I do not raise this question here, except, to draw attention to it in passing.

In view of this, when I was arrested and detained I never doubted that it was, as the phrase runs, with the purpose of preventing me from acting so as to disturb the public order and prejudice war efforts. It never was, nor is, my intention to seek release, or interference of the courts with detention, on the plea that the charges against me were or are false. Yet I have caused your Lordship and the Lahore High Court some inconvenience by making two petitions already, to which I am adding by writing a third.

My reason even today, at least partly, are the same

as were briefly indicated in my first petition. At the time Mrs Purnima Banerji had moved her application I had no knowledge of it, nor did I know that I had myself a legal right to move on application under section 491 to prevent the illegal and intolerable treatment to which I was then being subjected, I had however, on numerous occasions in the course of se-called interrogation expressed a wish to write to Government about the matter, which I was not allowed to do. Indeed looking back it seems to me that even if I had wanted to make a habeas corpus petition, I would have been disallowed, as I was disallowed to complain to Government. I believe it is only after the Pardiwala case that it has become possible for the prisoners in distress in this province to seek the protection of the law by means of a *habeas corpus* application.

It was months after Mrs. Bannerji's application had been disposed of that I came to know vaguely about it though its full purpose I have learnt only from the present judgment of Mr. Justice Munir. But I had learnt this much that her petition was dismissed because when the Bengal Regulations were applied to me section 491 ceased to have jurisdiction. So, when early in July I was converted again into a security prisoner, I naturally suspected that the order under the Bengal Regulations was a hurried device to cloak some kind of illegality about my detention during those days. And the purpose of my petition made in the spirit of assisting the law was that the matter be investigated. In fact, in my second petition I had gone so far as to state that it was

quite likely that current orders regarding my detention had been regularised, yet I had pointed out that it was necessary to find out if there was any irregularity at an earlier period. The irregularity I had in mind was of the type dealt with in the first point of my counsels, namely, that the order of my detention was not made by the proper authority or in accordance to the rules prescribed in the Ordinance. This question still remains undecided, because the attack of my counsels was concentrated upon the order of June 27 1944 of the Central Government.

Mr. Justice Munir in his judgment writes "when the petition came up for hearing on 17th December 1943, it was contended by the learned Advocate General that since the petitioner was being detained under the Bengal State Prisoner Regulation, the court by reason of sub-section (3) of section 491 of the code of Criminal Procedure had no jurisdiction to entertain the application and that on that ground the application should be dismissed. This contention succeeded and Mrs. Purnima Banerji's application under section 491, Criminal Procedure Code, was dismissed on 23rd December, 1943." These words themselves show that the Bengal Regulations were pressed into service only to defeat the application of Mrs. Banerji. This was either because there was an illegality involved in my detention, or as now appears more probable to me knowing the purpose of that application, because I was not being treated according to law, which fact the Government was afraid of being

brought to light. In either case the order under the Bengal Regulations was in the nature of a ruse meant to hide an illegal act, and I for one am anxious to explore every available aid of the law to right that wrong. That the wrong was committed more than a year ago, cannot by itself right it, nor, on that account, can the law refuse to take notice of it.

Coming now to the mala-fide point, while I agree with the judgment of the court that extortion of information was not the sole purpose of my detention, I do hold that the purpose of detaining me in the Fort was certainly to extort information, and as such mala-fide. The learned judge has remarked upon the length of time that intervened between my arrest and the beginning of my interrogation. Firstly, the period of time was not so long as it has been supposed, because I was arrested on September 18 and not on August 19. Thus it was just over a month after my arrest that the interrogation started, and this period was necessary to collect all the relevant records as more than one Provincial Government, apart from the Centre, was concerned. In fact, when the interrogation opened, there were officers of the Bengal and Bihar C. I. Ds. present in addition to those of the Punjab C. I. D. Secondly the reason that the interrogation stopped on December 10 was not that the mala-fide intention of the Government had undergone a sea-change, but in the first place it was my own attitude, that is to say, my refusal to give the information desired; in the second place,

it was the panic created in the Executive by the fact that Mrs. Banerji's petition had been admitted by the High Court which threatened to bring to light damaging facts. The reason again why the interrogation was not resumed later was, firstly, that the police did not expect to get anything out of me, and secondly the fact that I had in the meanwhile complained against the interrogation to the Home Secretary to the Punjab Government and to the non-official visitor Nawab Muzaffar Ali-Khan—both of whom saw me soon after I was made a state prisoner—and had also made a written complaint to the Punjab Government. Therefore, I maintain that one of the intentions clearly a malafide intention, of detaining me in the Fort was extortion of information regarding my activities and the national struggle that had begun on August 9, 1942. And this brings me to the fourth submission that I have to make.

(4) I have shown that my detention in this Fort was malafide, in as much as the purpose was to extort certain information. I wish now to submit that apart from this aspect of the matter, my detention here has been with a view indirectly and vindictively to inflict additional punishment on me, not in the least incidental to mere detention. The conditions of imprisonment in this Fort are such that aside from wilful ill-treatment, of which I have had no cause to complaint for the past some months, and as compared with conditions in the jails, they constitute by themselves a severe form of punishment. This fact was brought to the notice of the

Government by me some months ago, yet they refused to transfer me to a jail, presumably on the ground that no jail in the country was safe for me. This was a ridiculous plea, and I have naturally been driven to the conclusion that whatever be Government's future intentions, their insistence on keeping me locked up in this Fort was prompted by the motive I have spoken of above. I am aware that it has been held that Government have power to determine the place and conditions of a security prisoner's detention. Without denying this fact I maintain that this power is not open to unlimited interpretation. That there must be recognized standards to limit this power, and that the limitations must be such as to require a security prisoner, who is not under any punishment under the law, but is merely 'detained' by Executive order so as to be prevented from certain activities, to be kept under reasonable conditions of comfort and well-being. To remain locked up alone for fifteen months day and night except for an hour morning and evening for exercise, and to be deprived of all company for the greater part of this period are forms of hardships and punishment that are not incidental to detention, nor known anywhere in the jails and the detention camps except as forms of punishment for prison offences and they cannot fall within the recognized standards of which I have just spoken.

(5) I come now to the last part of my submissions. I have stated above and in my previous petitions that between October 20 and December 10, 1943 I was subjected to harrasment and torture. I shall first state

the fact briefly. In this connection, I can do no better than quote from the letter I had written to the Punjab Government, through the Home Secretary in February last.

These were the facts, my lord, and they have never been contested or denied by Government. I shall proceed now to quote further from the same letter, because what I said there is relevant to my present purpose.

This is what I wrote then, and I have repeated these words for your Lordship's consideration.

There remains another aspect of this matter. During the interrogation it was suggested to me that the police had to do their work, and that in such work there was no room for human values and civilized conduct. The plea was unworthy of any civilized government or its police. But, even granting that human values and decent conduct did not have a place in police work, at least, such work must be in accordance to law. My point is that the treatment meted out to me which I have described above was not lawful.

Before concluding this section I wish to suggest to your Lordship that the D.I.R. and the ordinances have converted this Fort into a paradise for the police. A prisoner who is brought here is completely insulated from the world outside, he does not have to be produced before any magistrate or other court; the police can keep him here as long as they like and do with him what they will. I have personal knowledge of three cases—those

of Mr. Indra Parkash Anand, Mr. Jayachand Vidyalankar and Dr. Rammanohar Lohia—in which similar, or even severe, treatment was meted out. I am sure there must be hundreds other cases. I wonder if your Lordship as the highest guardian of justice in this province cannot offer protection in some manner to these unfortunate victims of the police, or rather of the Government.

I shall now sum up the submissions I have made. I submit :—

- (i) that certain facts stated in the judgment are incorrect and that certain other facts that I have stated may affect the findings of the learned judge ;
- (ii) that when I was hurriedly made a state prisoner, there was either some illegality about my detention which the Government were unwilling to have examined by the High Court, or it was sought to prevent the fact of my illegal treatment from being brought to light ;
- (iii) that my detention in the Fort was and is malafide.
- (iv) that I was subjected to unlawful treatment, that is to say, to harrassment and torture, between Oct. 20 and Dec. 10, 1943.

My prayer is that under section 491 Criminal

Procedure Code or any other suitable section of the law, I be permitted through my counsel to prevent these points in Court so that decisions may be made regarding them. With regard to my last submission, I have two further prayers, namely, that your Lordship may initiate such proceedings as may be necessary to bring to book those guilty of unlawful conduct ; secondly, that I may be permitted to sue the Crown for the illegal treatment I received at the hands of its servants.

In order that I may seek the advice of and instruct my counsel, Mr. Jiwanlal Kapoor, Advocate, with regard to these points, I pray that I be allowed to interview him under such conditions as your Lordship may deem suitable. I pray further that a copy of this petition may be made available to him so that he may take such steps in regard to it as he may find advisable.

Begging to be excused for taking so much of your Lordship's time.

**JAIPARKASH'S LETTER TO THE HOME
SECRETARY THE PUNJAB
GOVERNMENT**

This letter was written to the Punjab Government early in February 1944. My 'interrogation' had been completed by then. As I was at that time a state prisoner, the Home Secretary to the Provincial Government, Mr. A. A. McDonald, used to visit me every month. He came to see me first in the middle of December 1943 when he told me that the Punjab C.I.D. had given me up as 'hopeless'. It was then that I had asked him for permission to make a written complaint to the Provincial Government. He said then that he would think over the matter. When he came again he told me that I had permission to write to the Government whenever I wanted. But there was a further delay of a couple of weeks, for in spite of the Home Secretary's orders, I was not provided with the necessary writing materials till the beginning of February.

There was no formal reply from the Government to my representation : only Mr. McDonald informed me, when he came to see me next, that my letter was 'sent up', as I had wished, and was 'sent down' again. That was all the notice that the Government of Lt. Col. Malik Khizar Hayat Khan took of a serious and earnest complaint made to it.

LETTER

To,

The Home Secretary,
Government of the Punjab
Lahore.

Sir,

I beg leave to bring to the notice of the Punjab Government certain facts and place before them certain of my grievances that arise from them. I shall first briefly state the facts.

I was arrested on the 18th September of the last year at Amritsar and brought the same day to this Fort. After about a month of my detention here I was taken to the office where officers of the Punjab, Bihar and Bengal C.I.Ds were present. I was informed that I would have to answer certain questions that would be put to me and make a statement regarding my recent activities. I made it clear to the officers present that I was prepared to answer any question that did not relate to my recent 'underground' activities, and as for a statement, I had no more to say than that I was an enemy of the British Empire in India (not of Britain or the British commonwealth), that I was working for my country's independence and that I would continue to do so till either the object was achieved or death intervened. The interrogating officers on their part made me understand that I was not to be let off till they had obtained from me the information they wanted.

In this manner my so-called interrogation began. Thereafter I was taken to the office every day and made

to sit there for varying periods of time. For the first few days the hours were not too long. Even so I pointed out to the interrogators that forcing me to sit in the office for together and repeatedly asking me questions that I had declined to answer was a form of harassment to which they had no right so subject me. I was told that I was in the hands of the Punjab C. I. D. and the question of rights did hardly arise. Gradually the hours of 'interrogation' in plain language harassment—were lengthened : from 8 a. m. to 5 p. m. & 10 p. m. to midnight. Often varied threats would be given to me in varied manners—some politely and mildly, some harshly and annoyingly. At this stage I made vigorous protests and asked repeatedly but fruitlessly to be allowed either to talk to the Superintendent in charge or to write to the Government. It struck me as a remarkable system in which a prisoner could not even complain or petition to Government which held him in custody ; and I wish to bring this point to the notice of your Government with some emphasis, for in this system lie the germs of much mischief and injustice. To my mind, the right to petition should never be denied to a prisoner. I should mention here that about this time I made it clear to the interrogating officers not in boasting but in all earnestness that I was determined to risk my life if necessary, but would not submit to their pressure. No one knows his powers of resistance, but that was my sincere resolution and I did my best to persuade the officers to believe me.

The final stage in my harassment, which turned

then into a form of torture, was to allow me no sleep during day or night. From morning till 12 p.m. I would be continuously kept in the office, then be taken to cell for an hour, brought to the office again for an hour two, taken back for an hour again and so on till the morning. The interrupted parcel of hours that I got in my cell could hardly bring me sleep for just as I would be dozing off the time would be up and I would be out again. On paper this process perhaps does not appear to be so torturous, but I can assure you in all honesty that when continued for days, it is a most oppressive and nerve-racking experience. I cannot describe it as anything but torture.

In the second week of December, this torture suddenly stopped, as did the 'interrogation'. A few days later I was informed by you that my interrogation was over.

So much for the facts.

My grievance is that I have been tortured and treated in this fashion without any justification or warrant whatever. There is nor can be, no moral or legal sanction for it. Even the all-sweeping ordinances do not permit such practices nor vest the police with such powers. A prisoner is a most helpless creature, and whatever his crime, civilizational safeguards against his ill-treatment. For his crime he may be hanged if the law required it, as a prisoner he may be punished according to prison rules, but he cannot be harassed and tortured for refusing to give information to the police.

That a political prisoner should be so treated is still the more reprehensible. Here I should like to draw the attention of the Government to another aspect of the matter. I have no desire to appear vain or boastful but in order to make my point I must say that if the C. I. D. went so far with me it can be imagined how much further it can go with perhaps, who perhaps worthier than myself, are yet not in the public eye or do not hold any position in public life. That such people should be completely at the mercy of the C.I.D. without even the right to petition to Government is a State of affairs that should not be permitted to continue.

Suppression Of political opponents is of the essence of Nazism and Fascism torture and of political prisoners their most characteristic feature, I am conscious of the argument that those who believe in violence as a political method as I do must be prepared to be forcibly suppressed. I grant that, but there are lawful means even for such suppression. A political revolutionary may be executed for his offences when found guilty by the established law, but he may not be put to any torture for the extortion of informations. War is the deadliest, most brutal and violent form of political conflict. Yet a prisoner of war has certain rights and immunities which civilized society scrupulously respects. The same person who would be most mercilessly bayoneted to death in the field of battle would be immune from ill-treatment in the war prisoner's camp and would receive such amenities as the standards of the countries concerned and his own status would warrant.

The plea that the work of the crime investigation Department must be carried on and that in such work there is no room for human values or standards of civilized conduct is a type of excuse than can hardly be seriously put forth by an enlightened Government, such as the Government of the Punjab, no doubt would claim to be. If the C.I.D. cannot carry on its investigations without the use of torture it were better to replace it with a department that relied on the brains and the science of detection rather than on primitive and would vulgar methods. No civilized Government to my mind can be justified in lowering its standard of conduct just to enable its crime investigation department with skill and intelligence and to find facile means of success. It is a laziness of thought and conscience to believe that investigation of crime is not possible without torture.

I, therefor, while harbouring no bitterness for those who interrogated me, for they were only carrying out orders, cannot but feel the deepest resentment against those who were really responsible for meting out such treatment to me. I have no idea who these were, but I cannot be persuaded to believe that the Council of Ministers, which is the Constitutional Government of the Province could have sanctioned such a policy or permitted it to be persisted in had it been brought to its notice. My purpose in writing this letter is firstly to lodge my protest with the Government against the treatment, I have received at the hands of its C. I. D., secondly I most earnestly beg of you to place this letter before the Prime Minister, so that he may personally

look into this matter and put a stop to a policy of which, I have no doubt, he cannot approve, but for which he is constitutionally ultimately responsible.

The least, if I may be permitted to suggest, that should be done is to allow every prisoner under interrogation to petition or complain to Government whenever he finds cause to do so ; to require the Superintendent-in-charge to see every prisoner once a week or a fortnight and to allow an accredited non-official visitor to do likewise.

Begging to be excused for taking so much of hour time,

I remain,

Yours sincerely,

Jayaparkash Narayan.

JAI PARKASH NOT ALLOWED TO SLEEP FOR 21 NIGHTS.

Ualcutta Chamber Secretary's Accout of Torture in Lahore Fort.

Lahore Nov. 2—How he was tied to a chair hand cuffed and kept in the state without sleep or food for full three days and nights in Lahore Fort, was described by Professor Inder Parkash Anand, a former assistant secretary of the Indian Chamber of Commerce, Calcutta to representative of Hindusthan Standard'.

Prof. Anand, was arrested in Sept. 1943 for his susptoted association with Mr. Jai Parkash Narain. Prof. Anand was kept in police custody for interrogation in Lahore fort, the police camp in Calcutta and the Amritsar Fort nine months.

He was sent to Dera Gazi Khan Jail and passed the whole of his period of deteution in virtual solitary confinement because he was marked by the C. I. D. as a dangerous prisonre. He was released in Jnly 1945.

Tall and impressive he sat for one hour narrating the grimatale of suffering of his own as well as that of one of India's nablest sons, Mr. Jai Parkaos Narain.

'Within an hour of my arrival in Lahore Fort,' he

said, 'I was produced before a horribly drunk sikh police officer who showered filthy and foul abuse on me. The climax came when he ordered one of the constables to pull off my trousers, and threatened me with something unnatural. But he was called away on the phone'.

Prisoners Beaten

Prof. Anand was kept in a semidark cell. He was deprived of all winter clothing and bedding. Even ordinary human and physical needs were denied to him. Two police officers particularly were past masters in the art of abusing Mahatma Gandhi, Pt. Jawaharlal Nehru, and other national leaders. They also asked indecent questions. Was there a secret communication between Gandhiji and Mr. Jai Parkash Narain from Agha Khan Palace? Was there a conspiracy to take Jai Parkash out of India to Japan via Gilgit?

Prof. Anand mentioned that he had actually heard cries of political suspects when they were beaten by the police. He had in one instance seen actual shoe-beating. Slaps and kicks by the police, abusive language and indecent behaviour was meted out to every political prisoner, and Prof. Anand had had his share of them.

From Lahore Fort, Prof. Anand was taken to the Calcutta Police camp for interrogation. From Calcutta, he was brought back to Lahore, but as the Government had not specified as to where he was going to be detained, the police sent him to Lahore Fort.

It was during these days that a *habeas corpus*

petition was filed for his release and Government fulfilled the formality of his detention by placing under the custody of the C.I.D. (C.I.D.), Punjab, in Lahore Fort. During these days Prof. Anand was a companion of Mr. Jai Parkash Narayan in Lahore Fort.

TWO MONTHS IN DARKNESS

From Lahore Fort he was transferred to the Amritsar Fort. The cell in this Fort was dirty and foul-smelling and full of mosquitoes. Prof. Anand was not allowed to sleep for 12 nights at a stretch. "For two months" said Prof. Anand, "I did not see the sun. From lack of sleep and effects of such long period of nerve-racking interrogation I suffered so much that I felt unusually giddy and thought the end was near. I lost about 40 pounds in weight. I do mention the injury on the forehead which I got when the two C.I.D. constables pulled my hair violently to keep me away from sleep when I was tied to a chair for 68 hours at the orders of the police officer" (whose name he mentioned).

Mr. Jai Parkash Narayan.

Prof. Anand spoke of Mr. Jai Parkash Narayan with affection and pride. Mr. Jai Parkash stood the trials in Lahore Fort and bore the suffering with calm dignity...He was not allowed to sleep for 21 nights and maltreated in various other ways.

Prof. Anand said that during his companionship with Mr. Narayan he got it from him that Government did not allow even his condolence letter to Shri Dev Dass Gandhi on Ba's death. Prof. Anand also disclosed

• that Mr. Narayan had written a personal letter to the Punjab Premier, Malik Khizar Hayat Tiwana, on the maltreatment meted out to him. Prof. Anand asked if the Punjab Premier was either so callous or so powerless because of the Punjab C.I.D. that he did not do anything in the matter. Prof. Anand had on the authority of a personal talk with Mr. A. A. MacDonald, Home Secretary, Punjab, that the Premier had 'read the letter and formally put his remarks 'noted' on it.

During the whole period of interrogation in the custody of the police, Prof. Anand suffered very much in health and lost 40 pounds in weight in addition to the injuries on the forehead which were made by constables violently pulling his hairs to prevent him from sleeping when he was tied to a chair.

XII

FASCIST & NAZI METHODS

**Mr. Ramanandan Misra's Letter
to the Punjab Primier**

C/o The Superintendent,
Kasur Sub-Jail.
Kasur, 9th, Oct. 1943.

To

The Hon'ble the Prime Minister and the Hon'ble
the Ministers, Punjab.

Gentlemen,

I am a security prisoner detained since the 28th, of August 1943 in the Kusar Sub Jail. I am a resident of Raghunathpur in the Province of Bihar, where my Zamindari property belonging to my family and myself is situated. I have been assessed to incom-tax for more than Rs. 30,000 per year. The present Maharaja of Benares is my sister's son. I am a graduate of the Kashi Vidyapith and since 1928 I have been actively associated with Congress work.

On the 22nd, of Feb. 1943 I was arrested in Lahore and was taken to Lahore fort where I was detained in the custody of the C.I.D. till my removal to this place on the 28th, of Aug. 1943

I was arrested at 4 P. M. and reached Lahore fort at 5-30 P. M. Immediately an interrogation began which lasted till about 6-30 P. M the next day viz., for a continuous period of 25 Hrs. the only interruption being for the purpose of answering the calls of nature. The process of interrogation lasting for 24 Hrs. or more at a stretch, went on throughout my detention in Lahore Fort at intervals of about a week. Apart from these interrogations there were interrogations almost every day lasting several hours. Throughout these interrogations I was made to sit on a chair the back of which had been removed. A very large part of these interrogations consisted, as they necessarily must, of utterly irrelevant questions. The main purpose of these interrogation was to wear me down mentally and physically in order to trap me into admissions which the C. I. D. apparently were very keen on obtaining. For example the C I D, wanted me to state that to my knowledge Mahatma Gandhi was pro-Japanese and that the Working Committee of the Congress had planned a campaign of violence prior to their arrest on the 9th, of Aug. 1942. Every denial on my part increased the violence and ill-treatment to which I was subjected throughout.

During all these interrogations I was subjected to violence in the shape of kicks, slaps, fist blow on my face and severe pulling of my hair.

Apart from these assaults during interrogations on several occasions I was similarly beaten. Beatings were

also administrated to me at least 20 times after trussing me up and—after my buttocks had been covered with blankets in order to leave no trace on my body.

On the 11th, of March 1943 during one of the beatings of the later type I lost consciousness, and I do not know if the beating was continued thereafter. On number of subsequent occasions such unconsciousness came to me a relief during such beatings.

Abuses of the most filthy nature were showered on me throughout the period of my detention.

All this was done under the supervision and instructions of Superintendent Robinson of the C.I.D.

I do not know the names of all those who assaulted and abused me. Ch. Mahomed Hussain Inspector, Sardar Bunta Singh Inspector and Mohamed Amin Hd. Constable were among those who assaulted me and Superintendent Robinson and Superintendent Syed Ahmed Shah were among those who abused me.

Mahatma Gandhi and Pandit Jawaharlal Nehru also came in for their share of filthy abuse from Ch. Mohd. Hussain.

Throughout the period of my detention in Lahore fort I was kept in solitary confinement and was not allowed to meet or associate with the political prisoners, who I later came to know were detained in Lahore fort.

I was not supplied with any clothing apart from the clothes I was wearing at the time of my arrest.

Every time I saw the Doctor I complained to him about the assaults and also informrd him about the fits of unconsciousness. On one occasion I become unconscious in the presence of the Dector. Unfortunately I do not know the name of the Doctor, but I have no doubt that you will easily ascertain it.

I am 36 years old and on no occasion during my life, prior to the 11th, of March 1943 I have ever been subject to fits of unconsciousness or any other type of fits. My weight at the time of my arrest was 192 Lbs. and when I was weighed on my arrival at this Jail it was 123 Lbs. thus during the period of 25 weeks in Lahore Fort I lost 69 Lbs. .

Owing to the treatment given to me, at one time, I despaired of life and dictated to inspector Bunta Singh my instruction of the disposal of my body and message to my wife and my family. And if I am alive to-day it is through no fault of C.I.D. for in fact what they did amounted to nothing short of an attempt to murder me. I have already mentioned that I had several times informed the doctor about the beatings to which I was subjected. About the 15th, of Aug. 1943 I informed Syed Ahmed Shah, Dy. Supdt. Rizvi Inspector Naoran Singh and Line officer Gurdatt Singh that unless by the 1st, of Sept. I was permitted to write to the Prime Minister, as I had requested innumerable times in the circumstances hereafter mentioned and allowed to meet other detenues confined in the Lahore Fort, I would restore to hunger strike. I told the doctor

about it. The Doctor, I understood, spoke sternly to the Officers concerned and informed them that physical violence must stop forthwith, and that in the state of my health hunger strike would lead to a quick collapse on my part. The result was that after the 15th, of Aug. I was left alone and on the 28th, I was transferred to this Jail.

I have already mentioned the reduction in my weight but apart from that the general condition of my health is very bad. I have little or no appetite, get disturbed sleep and feel so weak that any little exertion, mental or physical, leaves me badly exhausted. The Doctor here thinks that I have become very anaemic.

On the afternoon of the 23rd, Feb. 1943 when I was taken to the office of the Supdt. Syed Ahmed Shah for further questioning I complained to him about the assault on me during the previous night and told him that I wanted to write to the Hon'ble the Prime Minister and send petitions to the Hon'ble the High Court, to the District Judge and to the District Magistrate. Next day Supdt. Syed Ahmed Shah told me that none of these things could be permitted but, that I could apply in writing to the D. I. G. C. I. D. for permission. Accordingly I handed over an application to the effect to Supdt. Syed Ahmed Shah but I received no reply. Almost every week thereafter I repeated these requests but I was orally informed that I would not be permitted to do so.

On the 23rd, of Feb. 1943 I also requested Supdt. Syed Ahmed Shah to permit me to write to my wife

my sister, the Dowager Maharani of Beneras. I was given two sheets of paper for these letters in which the bare fact of my arrest was mentioned. I informed my wife that she should seek permission from the I. G. C. I. D. Punjab to interview me. My whereabouts were not mentioned in those letters as I was told not to do so. Thereafter on numerous occasions I requested permission to write to my wife but was not permitted to do so. I have reasons to doubt that the above mentioned letters to my wife and sister were never delivered.

On the 6th, of Sept. I wrote to the Superintendent of this Jail mentioning inter alia that during my detention in Lahore Fort I had been subjected by the C.I.D. Officers to various forms of torture and that I wanted to consult Malik Jiwanlal Kapoor Bar-at-law, a senior counsel practising in the Lahore High Court and that the Superintendent should be good enough to take the necessary steps to secure an interview with Mr. Kapoor.

The next day viz, on the 7th, of September Mr. Macdonald Dy. Home Secretary accompanied by Supdt. Robinson of the C.I.D. came to visit the Jail. Both Mr. Macdonald and Supt. Robinson told me that I could not have any interview with any Lawyer. They also made the amazing statement that so long as I was a detenué I would not be permitted to approach the High Court for any fact that I do not know if Mr. Macdonald is Ignorant of the fact that the Punjab C.I.D. indulges

in torture and third degree methods. But assuming that he was ignorant of my above mentioned letter to the Supdt, of this Jail had this fact prominently mentioned therein and Mr. Macdonald had read this letter before he saw me. Neither he nor the Supdt, of this Jail who happens to be a Magistrate bothered to ask me even one word regarding my complaint of torture.

As I was told by Mr. Macdonald that I would not be permitted an interview with Mr. Kapoor, I have written to Mr. Kapoor stating the relevant facts and asked him to take the necessary legal action thereon. This letter was written on the 15th, of Sept, 1943 but so far I have received no intimation that it has been delivered to Mr. Kapoor. Since I desire to bring those who illegally assaulted me before a proper tribunal I request you to see that the letter to Mr. Kapoor is delivered and to furnish me with the proper facilities to do so without delay.

I had heard of third degree methods and of the torture inflicted by the Gestapo, but I was not aware that under a responsible ministry the C.I.D. could equal if not excel those methods till my personal experience.

I might mention that mine is not an isolated case of torture by the C. I. D. in the Punjab and from the little information that I have the method of torture and third degree is not a speciality of the Lahore C.I.D. alone but is indulged in other parts of the Punjab, as well. I am assuming of course that you, Gentlemen, would not permit these things to go on in case you know

about it, for if I thought that these things were going on with your knowledge I would not waste ink and paper in writing to you.

It is sad commentary that in the midst of a war ostensibly waged to destroy Fascism and Hitlerism, the police in a province ruled by responsible Ministers should with impunity imitate methods, which have shocked the conscience of the civilized world. It is strange to find that while that Nazi, Italian and Japanese prisoners, whose governments have let loose terrorism are treated very well and those who have been consistent and open critics and opponents of Fascism, Nazism and Japanese imperialism should be subjected to the treatment described above.

The other day I came across a letter in the Tribune from the wife of Mr. Jayachandra Vidyalkar stating that after his removal from the United Provinces some months ago his whereabouts were entirely unknown to her. I might mention for your information that Mr. Jayachandra, till the date of my removal from the Lahore Fort, was there in the custody of the C. I. D. probably undergoing treatment similar to what I received. You are aware that the Rule 26 and 129 of the D. I. R. empower detention without requiring that the detenu should be produced before a Magistrate at any time. These powers, unless they are rigorously checked and supervised, give a carte blanche to the police in whose custody the unfortunate detenu remains in this province for indefinite periods.

My sole purpose in writing to you is to draw your attention to these inhuman methods and practices employed by your subordinates, so that you might put an effective stop to them ; and that others, who may be unfortunate enough to fall into their hands may be saved from the treatment that I received.

Earlier in this letter I have already mentioned my repeated request to approach the Prime Minister. It is amazing beyond words that the C. I. D. has the temerity to prevent any one from approaching the administrative head of the province. I am hoping that this letter may not have the same fate. I shall, therefore be glad to receive a word in acknowledgment of this letter.

(Sd.) RAMANANDAN Mishra,
9th August.

XIII

HORRORS OF THE LAHORE FORT.

Dr. Rishi's Statement

Credit goes to Mr. Dvijendranath Bose in making the scandal of the Lahore Fort a matter of public importance. Perhaps it is not known that the Lahore Fort is not a detention camp or jail in the sense Ahmednagar Fort or Agha Khan Palace or the Deoli Camp were. The Inspector-General of prisons has no jurisdiction over it, and even the police who are in charge of judicial lock-ups have no access to the inside of Lahore Fort. It is solely an affair of the special branch of the Punjab C.I.D., assisted by the Intelligence Bureau of the Government of India. So the C.I.D. alone are responsible for manging this "Hell on earth".

"Absolute solitary confinement, shutting up in a small dark cell, where extra—stools and urine—in an uncovered tin pot go on emanating foul smell for full 24 hours by the side of the internee, enforced insanitary life implying prohibition of shaving, not allowing the persons interned to take a bath or wash clothes for weeks, are just ordinary features of the life in Lahore Fort. Use of filthy language, indecent abuses. kicks and slaps are equally common.

"During my 2 months' internment in Lahore Fort, I was myself subjected to such severe physical and mental tortures that death was better than the agony.

"I was made to pass three winter nights without bedding and when due to severe cold, I had fever of 101 degrees, cough and blood stained sputum, no medical aid was made available to me. When I had almost got pneumonia, my shouts and protests succeeded in securing for me a doctor, but it was a great surprise for me when the physician merely prescribed a mixture and was about to go, I told the medical man that my first recipe in such continued exposure to cold could and should only be a bedding and that the Fort authorities had only to ring up my place for it. At long last a bedding was procured for me.

"The most agonizing physical torture to which I was subjected was, that I was not allowed to sleep for a continuous period of three days and nights. For these 84 hours, I was forced to keep my eyes open. How agonising this torture was can best be imagined than described.

"The questions put to me related to the publication of "Azad Punjab Gazette" under the pen-name 'Shin' and about the 'Quit India' movement in the Punjab, but on occasions the interrogators were at pains to connect sabotage with the congress movement. I told them that the 'Azad Punjab Gazette' had never preached sabotage and that the only violence committed in the Punjab during the 1942 movement was perpetrated in

the Lahore Fort by the forces of Law and Order, under the very supervision of Government officials and on helpless solitary individuals.

"Since the politicals from all over India who were kept in Lahore Fort are alleged to have been subjected to various kinds of third degree methods during the 1942 movement, I am confident that the Congress Working Committee would take up this matter. I appeal to Maulana Azad to appoint an impartial enquiry commission to enquire into the horrors of Lahore Fort by recording evidence of persons like Mr. Dwijen Bose who have been released and also of those like Mr. Jai Parkash Narayan, Mr. Ram Nandan Mishra, S. Sardul Singh Caveesher and others who are still under detention. Those who are found to be the culprits by this impartial tribunal must be tried as war criminals and then alone justice will be done".

XIV TORTURE CELLS OF LAHORE FORT

Lahore, October, 26, 1945.

"It is there in the interrogation chamber of the Lahore Fort that you see the brutal reality that lurks behind the somewhat softer facades of the British rule in India. These reforms and concessions and promises for the future pale into utter insignificance when you are brought face to face with that Brute Force which robbed our country's freedom 300 years ago and has held us down since the dark days of 1857.

"It is my pride and privilege to belong to the band of patriots who were considered dangerous enough to be taken to this Hell on Earth.

"Just a day before the Dussehra festival in 1942, I was dumped into a semi-dark cell in the Lahore Fort and was kept confined in it continuously for two weeks with not even one minute's outing. It was an absolutely solitary confinement without any newspaper or books. I had to perform the natural functions in the cell, and only one pitcherful of water was given to me for all needs in 24 hours and sometimes even that was withheld, possibly on purpose.

"The Inspector of the C. I. D. threatened me with third degree methods and a tall bully told me that

the C. I. D. men usually put night soil into the mouths of the suspects to co-erce them. On the next day I had a proof of it—when I saw the sweeper going into the torture chamber with a pot in his hand. As my cell was adjoining to the torture chamber, I heard nauseating sounds of vomiting from which I guessed that the C. I. D. wallas were doing exactly what they had threatened me with. A few minutes later, Inspector Line Officer Gurditt Singh and Head Constable came to my cell and threatened me with similar treatment.

I was subjected to non-stop inte rogation for weeks together at rate of 10 hours interrogation every day and from the nature of the questions asked to me it appeared that the C. I. D. had no sense either of decency or honesty.

From the Lahore Fort, after about a month's detention. I was taken to the Civil lines Police Station, and confined there for another spell of seven weeks. Most of the time, I was kept in the lock up meant for Indian prisoners and this lock-up lacked even the physical conveniences.

II

Mr. Madan Gopal M. A.

That the harrowing tales of woe of political suspects who had to face the tortures of Lahore Fort seem to know no end is clear from the narrative of his experiences given to the representative of the New Punjabee, by Shri Madan Gopal, M. A., of the Hindustan Press Service. Shri Madan Gopal M A, was working in the Lahore Central Rate Payers

Association as Organiser at the time of his arrest.

"He was arrested on 23rd December, 1942, and taken to the Mozang Police Station and literally thrown into a cell which was already filled to its capacity by ordinary criminals. For ten days he was treated as an ordinary under-trial prisoner was given diet worth annas three and had to pass all his 24 hours of the day in that cell. Latter on, when he protested against this treatment, he was given the diet sanctioned for a political prisoner, but other hardships continued.

On his threat to go on hunger-strike he was taken to Civil Lines Police Station, where he was kept in cell meant for Indian female prisoners. He was not allowed to bathe for two months at a stretch and no facilities for books or news papers etc. were allowed to him.

"The confinement in the narrow four walls of the cell told so much upon my system", said Shri Madan Gopal, M.A., "that my leg lost the strength to carry my body. I was actually unable to walk when they took me to the Lahore Fort. I was on the verge of a collapse, at the entrance to my cell in the Lahore Fort when an Officer, probably the then-Superintendent of the C. I. D., a Muslim gentleman, said to be a Sayyad, with the looks of a ghost, asked me rudely to carry my things : " refused point-blank".

"In the Lahore Fort" they try every means on their power to break the spirits of their victims. Threats, abusive language, keeping the suspect awake by night

and infliction of physical torture of most revolting type are some of the modii-operandii. They deceive their own medical authorities by deliberately keeping the weighing balance meant for the prisoners at margin which shows seven or eight pounds in excess of the actual weight."

Shri Madan Gopal M.A. had to suffer for months together in jail from such troubles as dysentery, pain in the legs and other ailments, with which he had contracted during the days of his detention in the dark, dingy, and unhealthy cells of the Lahore Fort and numerous police stations of Lahore. Even the aged father of Shri Madan Gopal, was not spared the agony of uncertainty about the fate of his son. Not only was he not allowed an interview with his incarcerated son, but even his inquiries regarding the health of Shri Madan Gopal were not attended to.

"To what inhuman extent of cruelty can a purblind administration go?" asked Shri Madan Gopal, feelingly, we do not mind the Britishers or their agents doing it on us. But we do ask the Ministers of the so-called autonomus Punjab and we want the minister for jails who represents the University Constituency particularly to explain, if their 'Unionist Party', is prepared to take up the responsibility for these methods of the Nazis. If not, why didn't they resign.

III

Mr. Tara Chand Gupta M.A.

Mr. Tarachand Gupta M.A., Ex-Security Prisoner upon whom gagging and other restrictions have been recently lifted, has on arrival in Lahore issued the following statement as regards the tortures committed by the Police on Politicals during the 1942 Movement.

Mr. Gupta says, "Approps to the statement of Dr. S.N. Rishi describing the horrors of Lahore Fort and demanding an inquiry by an impartial Tribunal, I feel it imperative to narrate the treatment given to me.

During the period of my interrogation, which lasted for more than 11 weeks, I was lodged in three different lock-ups and then in the end removed to the Lahore Fort. My stay in the Fort lasted for about three weeks. Not to speak of the Fort, even the so called judicial lockups were veritable chambers of torture. Towards the end of the first week of March, 1943, I got a chance to be in the Civil Lines Police lock-up for a day or so. In the female (European) lockup was shut up a youngman from Bombay, Modi by name. In the evening a ferocious looking Pathan was put in the same cell, who pretended to be a big crazy and kept on howling throughout the night. The atmosphere of the Police Station at the dead of night was uncanny and none of us could sleep. Modi could not get a wink of sleep. When all the terrorising tricks failed, he began sprinkling water on Modi's body and began exacting the witches scene from Macbeth. Early

in the morning came Bawa Jagat Singh and others. Modi was subjected to 15 hours' interrogation. At dusk was brought the Pathan again. Later on I was shunted off to the Cantonment Police Station ; Modi too, I came to know later on, had to be removed to the Fort.

The Cantonment Police Station was a regular hell on earth. There was neither pat or pan. The inmates had been easing themselves on the floor and the whole cell reeked with the foul smell of Urine, there being not even the ghost of an outlet. The electric bulb kept on burning over my bed and the rats gave me creeps at night. There was no provision for drinking water. I ate dirty stuff and somehow or the other fell unconscious, because normal sleep was out of question. The senior Head Constable would abuse, kick and slap people within my sight, and his junior—the Sardar with the twirld mustachis would come always smelling of spirits. I had to give up food before they would condescend to allow me to bathe with the cuffs on both the hands.

Then came the Fort. Myself and Shri Avinash Chandra Sehgal were lodged in cell No. 6. It was a small cage, there was absolutely no space to walk about. Mosquitoes, heat and almost scorching electric light made it impossible for us to sleep at night. Sehgal is a victim of chronic constipation. He used to ease himself four times a day and would sit on the kip revised commode for half an hour every time. Imagine us two post graduates living in that laterine. On top of it all

came the abuses, kicks and the threats from Mohd. Amin—the tall head constable with the sour looking face and sunken cheeks. We had to go on hunger-strike. There was a temporary truce, but the C. I. D. bosses did not find to wreck vengeance upon us. We were the first political detenus to be transported across the river. The trials and tribulation undergone by my comrade in the Dera Gazi Khan jail are very well-known to the newspaper reading public and these need not be recounted here.

I forcefully support Dr. Rishi's appeal to Maulana Azad to appoint an impartial enquiry commission to enquire into the horrors of Lahore Fort. I hope S. Niranjan Singh Talib, Com. Purshotamdas Tricumdas, Pandit Ram Rup Sharma, Modi, Shri Benars Dass, Shri Ganeshi Lal, Madan Gopal and many others will reveal facts which will constitute a slandering indictment against the police.

The Bombay Chronicle.

APPENDIX

I

Indian Bastilles.

Some days ago, we published reports of the atrocious treatment meted out to Mr. Dwijendra Bose, nephew of the late Mr. Subhas Chandra Bose in the Lahore Fort. Mr. Dwijendra stated among other things how he was so handcuffed and chained that he was unable to sleep for weeks and how fists were used to make him remain awake. He described the Fort as hell on earth and Maulana Munir-uz-Zaman Islambadi, the seventy year old Deputy leader of the Krishak Proja party of Bengal, who, too, had experience of the horrors of the Fort, calls it the 'Belsen Camp of India' where political prisoners are subjected to "inhuman torture and oppression to bring out something from them". We have now before us a fuller report of the third degree methods adopted in the Fort. Dr. Shiv Nandan Rishi, a medical officer in a dispensary of the Lahore Corporation, who was kept in the fort for two months, says in a public statement how he "was not allowed to sleep for a continuous period of three days and nights and how for 84 hours he was forced to keep his eyes open." Is it any wonder if one is forcibly re-

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minded of the Bastille of France of the pre-Resolution days and of Nazi and Japanese prison camps of our own day?

The Lahore Fort does not seem to be the only den of frightfulness in the country. The Red Fort of Delhi is another to judge from the statement issued by Mr. Sheelbhadra Yajee, M. L. A., Bihar, Vice president, All-India Forward Bloc who was detained there for about four months. These months, he says, he spent in solitary confinement in a small cell ten feet square, and infested by bugs, cockroaches, scorpions, rats and even snakes. "To keep away from the insects", he says, "I kept going round and round the cell and for days I knew no sleep.....I was abused and beaten". The officers, he adds, "bumped on me every day and tried to extort information of their own imagination from my benumbed brain". He was removed from the Fort only after he had become a physical wreck, and he now says : "I do not know how I survived the torture of a living hell". It appears that there were in the Fort about a hundred I. N. A. men. About these Mr. Yajee says : "They were made to do menial work such as scavenging and cleaning the latrines. Many of them were belaboured and some had heads and limbs injured. Many of them went insane". One wonders how many more such dungeons there are in the country and how many their victims. They should not go unnoticed by the country and the world. Dr. Rishi has appealed to the Congress President to appoint an impartial commission to investigate the treatment given to politicals

kept in the Lahore Fort. There is certainly need for an inquiry by the congress and it need not be confined to the Lahore Fort.

It is intriguing to learn from Dr. Rishi that the Inspector-General of prisons has no jurisdiction over the Lahore Fort, that even the police who are in charge of judicial lockups have no access to the inside of the Fort, and that 'it is only the affairs of the special Branch of the Punjab C. I. D. assisted by the Intelligence Bureau of the Government of India'. If neither the Inspector-General of prisons nor the chief of the police has control over the Fort, the position we think, is unlawful. It is beyond doubt grossly unjust. Once a law Court or Government decided to keep a man as prisoner, he must be under the charge of the Inspector-General of prisons. It is up to the Governments concerned to inquire both into administration of the Forts at Lahore and Delhi and the allegations made by the released prisoners. Moreover, there are numerous political prisoners who are still not released though they were not given any trial. Addressing a press conference at Lahore, President Azad pertinently remarked that, if even on the eve of elections the remaining prisoners are not released, "it can have only one meaning, that is that the election field is limited to certain political parties and thus they are debarred from being effective candidates. The prisoners cannot help their parties either as candidates or general workers. Is that what Government intends? It is a cruel joke to do things unforgettable and inforigivable and at the same time preach the gospel of forget and forgive? "

APPENDIX

II

Wanted Enquiry

The Tribune.

The trail of bitterness that the official excesses, committed in 1942 and subsequent years, have left behind must be wiped out. The best way to wipe it out is to institute an enquiry with a view to determining the truth underlying the pile of allegations against police and jail officials in the Punjab, punishing those who are found guilty, adopting measures calculated to render the future transgression of the bounds of propriety and humanity practically impossible and abolishing the torture-houses. The Old Central Jail of Multan is notorious. But the Lahore Fort prison easily beats it in notoriety. Stories of the happenings in the latter torture-house are still recalled with a shudder. Eminent leaders, like S. Sardul Singh Caveesher, Mr. Jai Parkash Narayan, and Mr. Ram Manohar Lohia, were made to undergo in it intolerable physical pain and mental agony, the men in charge of it being arrogantly indifferent to the fact that when the ugly truth would be out, there would be a terrible revulsion of feeling against them. The nephew of Mr. Subhas Chandra Bose,

who addressed a public meeting at Lahore after their release from this 'hell on earth', had extremely pathetic tales of their misery and suffering to tell. Perhaps the orders issued to the jail authorities by the unjustifiably and unnecessarily irate bureaucracy were that the congressmen and other political workers who were caught in the widespread police net and thrown into prison should be treated as 'rebels'. No wonder the zealous and fanatical servants of the bureaucracy feverishly with one another in teaching political prisoners a lesson.

One has only to recall the stories of the frightful experiences of the soldiers of freedom, like Mr. Rama Nandan Misra, Swami Swatantra Nand, L. Jagat Narain, S. Udham Singh Nagoke, M. L. A., Dr. Shiv Nandan Rishi, Mr. Durga dass Khanna, Mr. Puran Chand Azad, Prof. Inder Parkash, S. Gopal Singh Qaumi, Mr. Yash, Pt. Jaichander Vidyalankar, Mr. Rajendranath and Mr. A. C. Sehgal, to realize the lengths to which unbridled official repression can go. Some of the political prisoners were interrogated under conditions clearly objectionable—with sleep denied to them and with their nerves frayed. They were sometimes kept in uncomfortable postures. Again some of the political prisoners were kept completely segregated from their friends and to the pain of isolation in dirty, dingy cells was added the torment of mental starvation. In certain cases worse things were done. It might be contended by official apologists that the picture of bureaucratic oppression

and tyranny has been overdrawn. We do not question the correctness of this contention. We only say : Let there be an impartial, independent, sifting inquiry. It will not only—as we have already said—wipe out the trail of bitterness, but also erase the stain from the names of such official as have been wrongly traduced. By bringing into being an enquiry committee of the sort we have suggested the Punjab Government will be doing nothing novel. The Governments in certain provinces have already planned to appoint committees, enjoying the confidence of the people, to go into the conduct of officials against whom serious allegations are not only hurtling in the air, but have also been publicly made by responsible men. Presumably this governmental move is due to the Congress High Command's directive to the Ministers under its control. May be the congress ministers in the Punjab have also received such a directive. But whether they have received it or not, it is their duty to induce their colleagues to satisfy the pressing public demand. We must have the necessary enquiry—and have it in the immediate future.

APPENDIX

III

The Lahore Fort

The Tribune

Replying to Sardar Mangal Singh's questions in the Central Legislative Assembly, the Home Member, Sir Reginald Maxwell denied that detenus in the Lahore Fort were in any way ill-treated. He also said that no action was taken on the representations submitted by S. Sardul Singh Caveeshar, and Mr. Dwijen Bose about their alleged maltreatment as the allegations were found to be baseless (though he did not say, by whom)? Explaining the general position, the Home Member said that Central Government security prisoners detained in the provinces were subject to Provincial Governments' orders governing the detention of security prisoners, which were in conformity with the principles laid down by the Central Government. The Home Member then went on to argue that the acceptance of these principles, combined with the fact that no responsible government would tolerate the ill-treatment of prisoners was a sufficient guarantee that these prisoners were not in fact being ill-treated. Central security prisoners, he added, were also entitled to address petitions to the Central Government and the Government of India had already asked the Punjab Government to forward such petitions to them. He, however, refused to accept the suggestion

that members of the Legislature should be allowed to visit the Lahore Fort to see for themselves the conditions there on the plea that it would not be in the public interest. But the Home Member assured the Honourable Members that conditions of detention in the Lahore Fort and the treatment of prisoners detained there were satisfactory.

“Public interest” is a much abused phrase and we do not know whether the Honourable Members were satisfied by Sir Reginald Maxwell’s assurance but for our part we must say that the Home Member’s replies have, if anything, only increased our misgivings. Similar questions, addressed in the council of State to the Home Secretary on August 5, 1943, elicited the information that the cells in the Red Fort at Delhi were 16 ft. below ground level but there was a 23 ft. wide space open to the sky in their front. The cells, Mr. Conran Smith told the House, were used for purposes of interrogation, and the prisoners could not be kept there for more than one month without the permission of the Chief Commissioner and in no case for more than two months. Not having had any personal experience of the Delhi or Lahore Fort, we cannot speak with authority on the subject, but both these places of detention have got an unenviable reputation which, in their own interest, the authorities should dispel. Apart from segregating the prisoners completely and allowing them no contact with the outside world, we have heard complaints that the food supplied in the Lahore Fort, is from Tandoor and is

generally of extremely poor quality. We are also informed that a doctor visits these cells only once in a week with the result that prisoners detained there cannot get medical help during the course of the week. The public is also entitled to know the conditions in which these prisoners are interrogated and whether they amount to third degree methods. In England the prolonged interrogation of Miss Savidge roused the indignation of the House of Commons which appointed the Savidge Tribunal. In India, the Government consider it the most proper thing to draw a veil over the manner in which interrogations are held. As to the treatment meted out to the prisoners, there are all sorts of stories abroad and we feel that these allegations cannot be met by denials of the sort in which the Home Member indulged in the Legislative Assembly.

The Home Member's assumption that the existence of a responsible government rules out the possibility of prisoners being ill-treated, we are afraid, is absolutely unjustified. There may be something to be said in favour of the assumption if the autonomy enjoyed by the provinces is real and absolute but taking things as they are, this province is being ruled to day not by Ministers but by the police and civilians combined. In these circumstances, reasoning based on the existence of a responsible government becomes positively misleading. And as for the right which the prisoners detained in the Lahore Fort said to enjoy, to send representations to the Central Government, after the manner in which petitions sent to the High Court by prisoners detained

in Punjab jails were treated by Punjab Government, this right cannot be considered a guarantee of fair treatment. It may be remembered that the Punjab Government held back all these petitions and only forwarded them after the High Court, coming to know of their existence, lodged an emphatic protest against the Governments' action. Recently, it has transpired that a document addressed to the High Court was even destroyed by the police. Members of the Legislature may be suspect in the eyes of the Government but what objection can there be to Government allowing distinguished non-official Indians, respected by the public but not suspected by the Government, or Judges of the High Court visiting these places of detention? If conditions are as satisfactory as they are stated to be, the Government should have no objection to such Non-Official visitors visiting these places in order to reassure public opinion on a matter in which there is considerable perturbation of public opinion. In Jails, prisoners, convicted, under-trial or merely detained, have the guarantee of a certain minimum of fair treatment prescribed by Jail rules and regulations. The practice of detaining persons for long periods in Police lockups, meant to keep arrested prisoners overnight before being produced before magistrates, and in places like the Delhi and Lahore Forts, has brought with it the suspicion that these prisoners are not getting the treatment to which all prisoners are entitled under any humane system of Government. And the only way this suspicion can be removed from the public

mind is for the Government to institute for these places of detention a system of non-official visitors like the one that exists for regular jails at present. For their own sake, if not for the sake of these prisoners, it is a proposal which the Government must accept. We are putting forward this very modest suggestion, as we know, that any demand for an independent enquiry into conditions in these mediaeval Chambers of Horror will be followed by an immediate and curt refusal.

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